





# INVESTIGATION OF COMMUNIST ACTIVITIES IN THE LOS ANGELES AREA—Part 3

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## HEARINGS

BEFORE THE

COMMITTEE ON UN-AMERICAN ACTIVITIES

HOUSE OF REPRESENTATIVES

EIGHTY-THIRD CONGRESS

FIRST SESSION

---

MARCH 30 AND 31, 1953

---

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INCLUDING INDEX



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## COMMITTEE ON UN-AMERICAN ACTIVITIES

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The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, \* \* \**

## PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

### RULE X

#### STANDING COMMITTEES

\* \* \* \* \*

17. Committee on Un-American Activities, to consist of nine members.

### RULE XI

#### POWERS AND DUTIES OF COMMITTEES

\* \* \* \* \*

(q) (1) Committee on Un-American Activities.  
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

17. Committee on Un-American Activities.

(a) Un-American Activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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# INVESTIGATION OF COMMUNIST ACTIVITIES IN THE LOS ANGELES AREA—Part 3

MONDAY, MARCH 30, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Los Angeles, Calif.*

## PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to adjournment, at 9:36 a. m., in room 518, Federal Building, Hon. Donald L. Jackson (acting chairman), presiding.

Committee members present: Representatives Donald L. Jackson (acting chairman), Kit Clardy, Gordon H. Scherer, Francis E. Walter, Clyde Doyle (appearance noted in transcript), and James B. Frazier, Jr.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., chief clerk; and William A. Wheeler, investigator.

Mr. JACKSON. The committee will be in order.

Let the record show that there are present Messrs. Clardy, Scherer, Walter, Frazier, and Acting Chairman Jackson.

Who is your first witness, Mr. Counsel?

Mr. TAVENNER. Mr. Chairman, you will recall that the witness Mr. Abraham Minkus was directed to return to the witness stand this morning, so I will call him at this time.

Mr. JACKSON. Please be seated, Mr. Minkus. You have already been sworn, I take it?

Mr. MINKUS. Yes, I have.

## TESTIMONY OF ABRAHAM MINKUS, ACCOMPANIED BY HIS COUNSEL, WILLIAM B. ESTERMAN AND DANIEL G. MARSHALL— Resumed

Mr. TAVENNER. Mr. Minkus, you were sworn on Friday, I believe, so I think it is not necessary to repeat the oath.

During the early part of your testimony you were asked the question by me as to whether or not you disagreed with the testimony of Mr. LeRoy Herndon and Mr. Richard B. Lewis. In answer to that question, on page 657<sup>1</sup> of the transcript, you made this statement:

What I disagreed with about their testimony, that they allowed themselves to be used for a union-busting job in this city. And furthermore, I feel that they allowed themselves to be used to weaken and undermine the whole cause of academic freedom, not only for Los Angeles but throughout the country.

<sup>1</sup> See p. 542, Investigation of Communist Activities in the Los Angeles Area—Part 2.

Then Congressman Moulder asked you the question that appears on page 659<sup>1</sup> of the transcript :

You made some reference to their testimony supporting union busting. What explanation do you have to make on that assertion?

Mr. MINKUS. I read the headlines of one of the papers as I came in this afternoon. It says that Communists seized Los Angeles Teachers' Union. That is a monstrous hoax. It is, in fact—

and the sentence was not completed.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. TAVENNER. Mr. Minkus, I want to ask you this question: What knowledge do you have regarding the success or failure of the Communists to seize the Los Angeles Teachers' Union?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. First, Mr. Tavenner, I wish to be understood to have repeated each ground or point of my answer which appears on pages 660<sup>2</sup>–668, and page 672 of my testimony as my answer to every question asked of me where my reply adopted my previous answer, including the first and fifth amendments, but not excluding any other ground.

Mr. TAVENNER. Then you declined to answer the question for the reasons that you have previously assigned in the record?

Mr. MINKUS. I haven't quite finished, Mr. Tavenner.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Mr. Tavenner, I want first to finish the answer that I left incomplete, that you referred to on page 659, when I was interrupted.

Mr. TAVENNER. Would you answer my question first, and if you desire to make any further explanation, I will give you an opportunity to do so.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Mr. Tavenner, I wish to adopt in full the answer which I gave, which included the five points, as my answer to this question, including all of the grounds contained therein.

Mr. SCHERER. Now, Mr. Chairman, I ask that the witness be directed to answer that question of counsel.

Mr. JACKSON. Yes. The Chair feels that the answer given by the witness, or the lack or failure of an answer is such that the Chair will direct that the witness answer the question asked by counsel directly, or by declination to answer.

Mr. MINKUS. Mr. Tavenner indicated that I would be able to finish my answer. May I finish it now?

Mr. JACKSON. Counsel said that you will be given an opportunity to explain your answer or make a statement following the answer to the question which is presently pending. The Chair directs that you answer the question.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I wish to repeat the answer I have previously given, including all the points that I gave before, but not exclusive of the first and fifth amendments which are contained therein.

Now, may I finish the sentence which was incomplete, Mr. Tavenner?

<sup>1</sup> Ibid., p. 543.

<sup>2</sup> Ibid., pp. 544 and 545.

Mr. TAVENNER. Yes.

Mr. MINKUS. On page 659 of the record, where I was interrupted at the point where I said, "it is, in fact——" I would like to continue as follows: "It is, in fact, my opinion that the newspaper headline I referred to does not correctly reflect the testimony I heard, regardless of the truth or falsity of that testimony."

I want it clear that I was expressing an opinion.

Mr. TAVENNER. Well, you heard the testimony of Mr. LeRoy Herndon and Mr. Richard B. Lewis that it was the purpose of the Communist Party group of which they were members to influence the policy of the Teachers' Union. You heard that testimony, didn't you? (At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I repeat the answer I have previously given.

Mr. SCHERER. Again I request, Mr. Chairman, that he be directed to answer.

Mr. MINKUS. Which included the first and fifth amendment.

Mr. SCHERER. I request that he be directed to answer this question. I want to get in the record that he is ordered by the chairman to answer that question. That question calls for either yes or no, and there is no basis in God's green earth on which he can claim the fifth amendment on the question if he heard that testimony.

Mr. CLARDY. He either heard it or he didn't, Your Honor.

Mr. JACKSON. May the Chair ask if the witness declines to answer that question upon the grounds previously stated, including the first and fifth amendments?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Mr. Chairman, I repeat the answer I previously gave, including the five points, and including the first and fifth amendments.

Mr. CLARDY. Now, Mr. Chairman, I think it is important that we press this point a little further. You will recall, and I think the counsel will bear me out, that some rather wild accusations were made at the time that you referred to in your initial question, and now as I understand it, all you are seeking to ascertain at this time is whether or not the witness was present and heard the testimony of certain other witnesses. Am I correct in that?

Mr. TAVENNER. That was the question.

Mr. CLARDY. I assume that that is correct, and of course if that is the fact, then the witness can say in answering as to whether he did or not. This is a typical method of evading the clear, frank issue, and I ask that the chair insist again that there be a yes or no answer followed by an explanation, if he wishes to do so, have him state frankly and in unequivocal language that he is declining to answer upon proper constitutional grounds, or any explanation that he wishes, but I think the committee is entitled to that much respect, for, after all, we are the Congress of the United States.

Mr. JACKSON. It is quite obvious to me that we are not going to get a clear and unequivocal answer. The Chair has already directed him to answer the question on several occasions. However, for the purpose of the record, the Chair will again direct the witness to answer that question.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Which question is that, now?

Mr. SCHERER. I think we ought to have the question read. I don't want to interrupt too much, but I think we ought to have that question read and an answer to the question.

Mr. JACKSON. Mr. Reporter, will you please read the pending question?

(The question was read.)

Mr. ESTERMAN. Just a moment. There is more.

Mr. CLARDY. Just a moment, yourself. Mr. Chairman, it is quite obvious that the witness is fencing with us. I don't think the committee should tolerate it for one more second, and I ask that he be categorically directed to either say that he did or did not. It is a simple question, and if he desires to rely upon the fifth amendment, he can decline upon that ground. Obviously, there is no basis for invoking the fifth amendment on that question. If he wishes to refuse to answer, he has that privilege, but I ask that he be directed to follow his answer with whatever explanation he wishes to give.

This, I think, is extremely important at this juncture.

Mr. JACKSON. I think it should be perfectly clear at this time that the direction of the Chair will not avail in eliciting a clear-cut, straightforward answer to the question.

However, again so that the matter may be absolutely clear, and for the last time on this particular question, the Chair will direct the witness to answer that question directly.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Mr. Chairman, I repeat the answer I have given previously, including the five points, and including the first and fifth amendments, and all of the grounds that I gave previously.

Mr. JACKSON. The Chair will say that he considers the answer to be inconclusive, indirect, and evasive, and does not constitute an answer to the question that was asked.

Mr. MINKUS. And furthermore I believe that the answer to that question is not pertinent.

Mr. CLARDY. May I suggest, Mr. Chairman, that the answer is obviously in contempt of the Congress, and I intend to take appropriate action following this session.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Minkus, was there any attempt made, to your knowledge, by any group of Communists to infiltrate the Teachers' Union?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I repeat the answer I have previously given, including the five points, and including the first and fifth amendments.

Mr. TAVENNER. Mr. Chairman, I would like to call the committee's attention and the witness' attention to the statement he made, which appears on page 675<sup>1</sup> of the transcript of the testimony. After having refused to answer a question, Mr. Minkus made the statement—

Mr. Chairman, I wish to repeat again the answer that I gave before in full, and may it be considered that it is adopted in full without my repeating it, and I would like to incorporate without repeating the earlier answer this addition, that the policies of the union are and have been determined by the membership in open meeting.

<sup>1</sup> Ibid., p. 549.

Now, in the view of the counsel, that is a waiver of any claim of privilege under the fifth amendment as to the subject matter of that additional statement, namely, the statement relative to the policies of the union being determined by the membership in open meeting.

My question was directed to that matter, and having called that matter to the witness' attention, I would again like to request that he answer the question.

Mr. JACKSON. The witness is so directed.

Mr. MINKUS. What is the question?

Mr. TAVENNER. Will you read the question, please?

(The question was read.)

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. TAVENNER. May I add to the question, "or influence its policies."

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I repeat the previous answer, including the five points and the first and fifth amendments, and not excluding any grounds which were adopted.

Mr. SCHERER. Now, Mr. Chairman, I wonder if we all recall the clever answer that was made by the witness originally on this point. He is repeating time and time again, "I repeat my original answer." The original answer to the question, to a certain question, was, "I refuse to answer that question yes or no," and then he went on the other day to enumerate the various reasons why he was not going to answer that question yes or no.

Now, he is constantly repeating, "I am giving the same answer that I did to the original question," which was, "I can't answer that question yes or no."

I wonder if all of us realize the significance of what is happening here this morning.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. May I ask that the chairman direct the witness to answer?

Mr. JACKSON. The witness is directed to answer the question, which grows out of what I understand to be a voluntary statement on the part of the witness.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. May I have the question now?

Mr. JACKSON. Would the reporter kindly read the question?

(The question was read as follows: "Mr. Minkus, was there any attempt made, to your knowledge, by any group of Communists to infiltrate the Teachers' Union or influence its policies?")

Mr. ESTERMAN. There was more.

The REPORTER. I read the question with the addition, "or influence its policies."

Mr. JACKSON. The reporter has read the addition.

Mr. MINKUS. I give the same answer that I gave previously, that I stand on the answer I adopted, the answer I gave before in full, including the five points, including the first and fifth amendments, including the grounds I previously stated.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. SCHERER. See what happens—

Mr. ESTERMAN. Just a moment.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. And I feel it is not pertinent——

Mr. SCHERER. See what happens. He has not said he declines to answer this question.

Mr. JACKSON. That is obvious from the record. There is no clear-cut, direct answer. I believe, in relating it back to the gentleman's original statement, it will be quite obvious there has been no direct answer to the question.

Proceed, Mr. Counsel.

Mr. WALTER. That is his answer. Even if it isn't an answer, it is what he wants us to believe is an answer.

Mr. JACKSON. I stated it was not a direct answer.

Mr. TAVENNER. It is the same as remaining mute and refusing to answer at all.

Mr. WALTER. Surely.

Mr. TAVENNER. Did you participate, Mr. Minkus, with other members of the Communist Party, as a Communist Party unit, in any attempt to influence the policies of the Teachers Union?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Mr. Tavenner, no matter how many times this kind of question is asked, I will give, as I give now, the answer which I have previously given, including the five points, including the first and fifth amendments and any other grounds which are contained therein.

Mr. TAVENNER. May the witness be directed to answer the question?

Mr. JACKSON. The witness is directed to answer.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. I give the same answer I previously gave. No matter how many times this kind of question is asked, I will give it again, that I stand on that answer, the five points included in it, the first and fifth amendments and any other grounds which were contained therein.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Clardy?

Mr. CLARDY. I think it would be a waste of time to propound further questions, because it is obvious that the familiar tactic of evasion would be pursued, no matter what might be asked. I, therefore, have no further questions at this time.

Mr. JACKSON. Mr. Walter?

Mr. WALTER. No questions.

Mr. JACKSON. Mr. Scherer.

Mr. SCHERER. No questions.

Mr. JACKSON. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. JACKSON. I have several questions relative to other matters.

Mr. Minkus, are you a member or associated with an organization known as the United Citizens' Committee for Better Schools?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Is this listed as a subversive organization?

Mr. JACKSON. Not to the best of my knowledge. I think I can say categorically it is not listed.

Mr. MINKUS. What is it?

Mr. JACKSON. The United Citizens' Committee for Better Schools is an organization which was organized here in the city of Los Angeles, according to the information in the possession of the committee, on the 26th of January 1953, which has as its avowed purpose the election of progressives in the spring election to the Los Angeles Board of Education.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Mr. Chairman, do you regard this as a proper subject of inquiry for this committee?

Mr. JACKSON. Yes; I regard anything as a proper subject for investigation and interrogation by this committee which has affiliated with it a considerable number of individuals who are either themselves members of the Communist Party or who have for many years followed the Communist Party line.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Mr. Chairman, again I adopt the answer which I gave previous to a question of this kind, including the five points, including the first and fifth amendments, including all the grounds which I gave.

Mr. JACKSON. Information in the possession of the committee indicates that at the organizational meetings of the Citizens' Committee for Better Schools a plan was developed to obtain precinct lists of all the precincts of Los Angeles County to divide them up among various workers, and to do precinct work for the purpose of electing progressives to the Los Angeles Board of Education.

Do you have any knowledge of any efforts which were made to obtain precinct sheets?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. This is the same kind of a question, Mr. Chairman, and I give the same answer.

Mr. CLARY. I ask he be directed to answer.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. JACKSON. I direct that the question be answered.

(At this point Mr. Minkus conferred with Mr. Marshall.)

Mr. MINKUS. I give the same answer I gave previously, including the five points, including the first and fifth amendments and all the grounds I gave.

Mr. JACKSON. Are you a member, Mr. Minkus, of the Citizens' Committee for Freedom in Education, also a Los Angeles organization?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Is that a subversive organization? What is it?

Mr. JACKSON. I do not think it has been so cited.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Have you listed it?

Mr. JACKSON. I can say categorically that it has not been listed.

Mr. TAVENNER. What is the name?

Mr. JACKSON. The Citizens' Committee for Freedom in Education.

Mr. TAVENNER. No, sir; I am confident it is not.

Mr. JACKSON. Let me check.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. JACKSON. There are a lot of citizens committees. There is a Citizens' Committee for Better Education. However, this is a Citizens' Committee for Freedom in Education.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Would you please say that again?

Mr. JACKSON. There is listed in the Guide to Subversive Organizations and Publications an organization called the Citizens' Committee for Better Education, which was cited as a Communist front in Los Angeles by the California Committee on Un-American Activities report of 1948, pages 198 and 199. That is the Citizens' Committee for Better Education.

My question relates to an organization called the Citizens Committee for Freedom in Education, and I can assure you it is not listed.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. I would ask the Chair to tell me what it is.

Mr. JACKSON. That is what the Chair is attempting to determine. My question is, Are you a member of it?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. TAVENNER. Mr. Chairman, you are correct in stating it has not been listed.

Mr. JACKSON. Thank you.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Mr. Chairman, would you be good enough to state, as you did before, what the basis for the inquiry is?

Mr. JACKSON. Yes. The basis of the inquiry is to find out to what extent the Communist Party in the City of Los Angeles is attempting to influence the coming elections for the board of education in this city.

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Thank you very much, Mr. Chairman. I repeat the answer which I gave previously to a similar question, including the five points, including the first and fifth amendments, and on the grounds I gave before.

Mr. JACKSON. Information in the possession of the committee indicates that on December 1, 1952, a meeting of the Citizens' Committee for Freedom in Education was held at 8 p. m. at Stanley Hall, 1057 North Stanley Avenue, West Hollywood.

Did you attend that meeting?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. The same answer which I gave previously, including the first and fifth amendments.

Mr. JACKSON. The announced speakers at that meeting were Mrs. Francis R. Eisenberg and Mrs. Jean Benson Wilkinson. Are you acquainted with either of the individuals in question?

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. I give the same answer which I gave previously, including the five points and the first and fifth amendments, and the other grounds which I gave.

Mr. JACKSON. The information in the possession of the committee indicates that the two individuals, Mrs. Eisenberg and Mrs. Wilkinson, are presently under suspension from their positions as teachers in



the Los Angeles County school system for refusing to answer questions regarding their alleged Communist Party memberships.

Information in the possession of the committee indicates that on Friday, December 5, notices were sent out, which notices were affixed to bulletin boards in the various teachers' rooms, with particular reference to the Cheremoya Street School in Hollywood.

The notices announced a meeting to be held at Humanists Hall, 2308 South Hoover Street, on December 10, 1952.

Were you in attendance at that meeting?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. What meeting? Whose meeting?

Mr. JACKSON. This was a meeting of either the United Citizens' Committee for Better Schools or the Citizens' Committee for Freedom in Education.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. MINKUS. Which one, Mr. Chairman?

Mr. JACKSON. Did you attend a meeting at the time and place stated, held by the United Citizens' Committee for Better Schools?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I adopt the answer which I gave previously, including the five points, the first and fifth amendments, and the grounds I previously stated.

Mr. JACKSON. Did you attend the meeting at that location on that date sponsored by the Citizens' Committee for Freedom in Education?

Mr. MINKUS. I give the same answer, including the five points, first and fifth amendments, and previous comments.

Mr. JACKSON. Information in the possession of the committee indicates that on the evening of December 10 you were at Humanists Hall, 2308 South Hoover Street. Is that information false or is it correct?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. Is that the same date?

Mr. JACKSON. That is on the evening of December 10, at Humanists Hall.

Mr. MINKUS. That is one of the meetings which you referred to earlier?

Mr. JACKSON. That is correct.

Mr. MINKUS. And in response to a question concerned which I gave an answer?

Mr. JACKSON. That is correct.

Mr. MINKUS. I repeat again the answer which I gave previously, including the five points, the first and fifth amendments, and the grounds which I previously stated.

Mr. JACKSON. Information in the possession of the committee indicates that on the occasion of the December 10 meeting in Humanists Hall, a moving picture, 16-millimeter film, Man Who Hates Children, was shown.

It is indicated that the Man Who Hates Children hates them because he is a capitalist, he is afraid if more schools are built he will be forced to pay additional taxes. For this reason he is opposed to

UNESCO, opposed to the Communist Party, and supports loyalty oaths and book burning.

Was a picture of that nature shown on the date in question?

(At this point Mr. Minkus conferred with Mr. Esterman and Mr. Marshall.)

Mr. MINKUS. I feel that is substantially the same question, and I give the same answer I gave previously, including the five points, the first and fifth amendments, and the grounds which I previously gave.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. JACKSON. I do not wish to unduly prolong the interrogation of this witness. However, I think it should be stated that the committee is in possession of a considerable amount of information relative to these organizations and relative to the people who are participating in them. That is not to say, by any means, that all the people who are in these groups are Communists or fellow travelers.

However, it is quite obvious, from a very cursory examination of the documentation which is presently available, that almost every known Communist, every known fellow traveler in the city of Los Angeles is in one way or another connected with one or another of these organizations.

(At this point Mr. Minkus conferred with Mr. Esterman.)

Mr. JACKSON. It is a matter that is of considerable interest to everyone who is interested in communism and its propaganda activities. During the course of my remarks I inadvertently named the Los Angeles County School System, where I should have said the Los Angeles City School System.

I have no further questions. Are there any further questions by the committee.

(No response.)

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

(Representative Clyde Doyle reentered the hearing room at this point, 10:15 a. m.)

Mr. JACKSON. Is the witness here in answer to a legal subpoena?

Mr. TAVENNER. Yes.

Mr. JACKSON. You do not have a copy of the subpoena at the present time?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Very well. The witness is excused.

Mr. TAVENNER. Mr. Harry Shepro.

Mr. ESTERMAN. The witness is in the room. He is here in response to a subpoena. He will not appear before any apparatus, broadcasting, television, video, picture, or any apparatus of that kind.

Mr. JACKSON. In line with the policy adopted by the committee, the subpoena will be extended until Tuesday, April 7.

Call another witness, Mr. Counsel.

Mr. TAVENNER. Yes, sir. Rose Posell.

Mr. ESTERMAN. This witness is in the room. May I, by reference, incorporate the remarks I made about the previous witness, with respect to appearance before television?

Mr. JACKSON. I prefer to have the witness make her own request in that connection.

Mr. ESTERMAN. Will you turn off the cameras while she is making the request?

Mr. JACKSON. The cameras will not be played on her.

Miss POSELL. I do not want to appear before television cameras, radio, or any apparatus at all.

Mr. JACKSON. Very well. In line with the announced policy of the committee, your wishes will be respected. Your subpoena will be extended until Tuesday, April 7.

Mr. Esterman, in order that we may keep the record absolutely straight, I would like to have your other witness make the same request at this time on his own.

Mr. ESTERMAN. Which other witness?

Mr. JACKSON. The witness just called before the lady.

Mr. TAVENNER. The former witness was Harry Shepro.

Mr. ESTERMAN. He has been photographed many times. May we also request he not be photographed while he is addressing the committee?

Mr. JACKSON. I cannot undertake to place any restriction on the news photographers.

Mr. SHEPRO. I wish to make the request I not be televised, no radio, no video, or any apparatus.

Mr. JACKSON. Very well. The previous instructions as to the extension of the subpoena stands.

Who is your next witness?

Mr. TAVENNER. Mr. Serrill Gerber.

Mr. ESTERMAN. Mr. Gerber is in the room. He wants to make the same request.

Mr. GERBER. I would repeat the request. I would prefer not to be before television or the radio.

Mr. JACKSON. Do you refuse to appear before television or radio?

Mr. GERBER. Yes.

Mr. JACKSON. Very well. The subpoena will be extended until Tuesday, April 7.

Your next witness.

Mr. TAVENNER. Norman T. Byrne.

Mr. JACKSON. Is Mr. Byrne in the hearing room?

(No response.)

Mr. JACKSON. Is Mr. Byrne represented? Is there a counsel in the hearing room for Mr. Byrne?

(No response.)

Mr. TAVENNER. I can't recall definitely. Was Mr. Byrne the witness instructed to be here today because of mechanical difficulty with his automobile?

Mr. Chairman, I can't definitely say in my own mind.

May I suggest that you ask one of the sergeants-at-arms to call his name in the corridor?

A VOICE. I have.

Mr. JACKSON. That has already been done. The record will show when the witness' name was called he was not present in the hearing room.

Mr. TAVENNER. Then I would like to call Mr. Dwight Hauser.

Mr. JACKSON. Mr. Hauser, is he in the hearing room?

Mr. HAUSER. Yes.

Mr. JACKSON. Raise your right hand. Do you solemnly swear that in the testimony you are about to give before the committee, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HAUSER. Yes, I do.

Mr. JACKSON. Please be seated.

### TESTIMONY OF DWIGHT HAUSER

Mr. TAVENNER. What is your name, please, sir?

Mr. HAUSER. Dwight Hauser.

Mr. TAVENNER. When and where were you born, Mr. Hauser?

Mr. HAUSER. Twin Falls, Idaho, July 4, 1911.

Mr. TAVENNER. What is your occupation, Mr. Hauser?

Mr. HAUSER. I am a radio director.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has consisted of?

Mr. DOYLE. May I interrupt? I notice he has no lawyer with him.

Mr. TAVENNER. Yes.

Mr. DOYLE. I wonder if he wishes one.

Mr. HAUSER. No, I do not.

Mr. DOYLE. You understand you are always entitled to your own private counsel—

Mr. HAUSER. I do.

Mr. DOYLE. By your side, before this committee?

Mr. HAUSER. I do.

Mr. DOYLE. We always want the witness to understand.

Mr. HAUSER. I understand that, sir.

Mr. DOYLE. It is your choice, then, that you have no attorney here?

Mr. HAUSER. It is.

Mr. TAVENNER. Mr. Hauser, will you spell your name, please?

Mr. HAUSER. H-a-u-s-e-r.

Mr. TAVENNER. And the first name is?

Mr. HAUSER. Dwight, D-w-i-g-h-t.

Mr. TAVENNER. Now, Mr. Hauser, will you tell us, please, what your formal educational training has been?

Mr. HAUSER. I graduated from high school in 1929. I entered a private school of the theater in 1936 and graduated from that school in 1938.

Mr. TAVENNER. Will you tell the committee, please, briefly what your record of employment has been since 1938, and where?

Mr. HAUSER. I fooled around with little-theater work for a couple of years after graduation.

Mr. TAVENNER. Where was that, in what city?

Mr. HAUSER. Here in Los Angeles, and for 1 month in Texas.

I then became a radio director for the Federal theater project for about a year.

Mr. TAVENNER. That would have been in what, about what date?

Mr. HAUSER. That would have been about 1940 or along between 1940, '41, approximatley. I went to Pasadena as the program director of a local radio station in 1941, I believe.

Following that I came to Hollywood as a staff writer for one of the networks.

Mr. TAVENNER. How long did you remain a staff writer?

Mr. HAUSER. From 1941 to 1943—no, I beg your pardon. Until 1945. But I didn't come there until 1942, I believe.

Mr. TAVENNER. What was your next employment?

Mr. HAUSER. As a combination director-writer.

Mr. TAVENNER. What type of director?

Mr. HAUSER. A radio director, at another network.

Mr. TAVENNER. Will you speak just a little louder?

Mr. HAUSER. At another network.

Mr. TAVENNER. How long did that continue?

Mr. HAUSER. Up until the present moment.

Mr. TAVENNER. Will you give us the names of the radio networks you have worked for?

Mr. HAUSER. Yes. I was a writer for the Columbia Broadcasting System and I am currently employed by the American Broadcasting Co.

Mr. TAVENNER. Mr. Hauser, during the period of time that you were employed from 1938 up until the present time—I mean during any part of that period, were you a member of the Communist Party?

Mr. HAUSER. Yes, I was.

Mr. TAVENNER. During what period of time?

Mr. HAUSER. Summer of 1943 to late in 1945.

Mr. TAVENNER. Have you been affiliated with the Communist Party in any manner since 1945?

Mr. HAUSER. No.

Mr. TAVENNER. I notice that you were with the Federal theater project earlier than 1943. I believe it was along about 1940, if my notes are correct.

Mr. HAUSER. Yes, I was a director for that.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were working as a radio director for the Federal theater project?

Mr. HAUSER. No.

Mr. TAVENNER. We have had considerable testimony during the course of this hearing of the existence of a Communist Party cell in a Federal theater project in New York City, and how that Communist Party cell used its members to infiltrate that organization.

Did you observe any Communist Party influence in the project that you were a member of here in Los Angeles?

Mr. HAUSER. No, not at the time that I was there. My later experiences, which put me in a position to be a little more aware of Communist activities, lead me to believe that there was absolutely none.

Mr. TAVENNER. Excuse me. It is a little difficult for us to hear.

Mr. HAUSER. I am sorry.

Mr. TAVENNER. Will you raise your voice?

Mr. HAUSER. I am a director; I am usually on the other side of the mike.

I say that I noticed none at the time, and my experience later, which put me in a position to know something more about the Communist Party activities, leads me to believe that there was none of any nature within the radio division of the Federal Theater project.

Mr. TAVENNER. Will you tell the committee, please, the circumstances under which you first became interested in the Communist Party to the extent that you joined it?

Mr. HAUSER. I was interested in enhancing, through the means of radio, the problems of the war effort. I have a sincere, deep, and abiding hatred for racial prejudices. I became particularly aware of them as they were practiced in Germany. I still feel very strong we are the subject of anti-Semitism, inequality for Negroes. I felt that way at that time, and I understood that the Communist Party was dedicated to the same ideals. The people who were influential in recruiting me, I feel, were of the same opinion as I. I thought that as an individual I could do little; as part of an organization dedicated to these aims I might add my voice. I felt that the reasons for which I joined the Communist Party were very American and unsubversive. For those reasons I joined it.

Mr. TAVENNER. That was in 1943?

Mr. HAUSER. That is right.

Mr. TAVENNER. Will you tell us the name of the person or persons whom you contacted in order to get into the Communist Party, or whether that was done by your own initiative, or whether your membership was solicited?

Mr. HAUSER. I presume that in many discussions I had made my position as a liberal fairly clear, and apparently it was felt that I would be receptive to the aims as stated to me at the time. A very good friend of mine, whose character and ideals I admired, whose intellectual capabilities impressed me, talked to me about this and asked me if I wouldn't like to associate myself with a group of people who were of the same opinions as I.

I wonder if it might not be possible to pass over this man's name for the moment, because this is a man who left the party at about the same time I did for the same reasons that I did. I think that it might serve justice if his name be brought into this—

Mr. TAVENNER. You say to pass it over for the moment. In other words, I will ask you then, before you leave the witness stand, more in detail.

Mr. HAUSER. Very well.

Mr. TAVENNER. All right, sir. Well, after you joined the Communist Party did you continue in your belief as to the purposes of the party as indicated in your reasons for joining the party?

Mr. HAUSER. Well, yes, for a time. After joining it and attending a few of the meetings, I was quite disappointed because it didn't seem to me that anything was being accomplished along these lines to amount to anything. It was mostly discussions among people who were already convinced of the rightness of assisting the war effort in any way possible. But, as far as I could see, it never got beyond the talking stage, and I was a little disappointed that nothing more was done about it than that.

I dropped out for a short time because of this. I felt that it was very, very ineffectual. Later on apparently there was some reorganization and an attempt to get a more cohesive unit working in this branch, and I was asked if I wouldn't come back and I said I would and did.

Mr. TAVENNER. Just a moment. You say "this branch." What branch of the Communist Party was that?

Mr. HAUSER. This was a special branch. I believe it was referred to as the radio branch. This is the only thing I ever heard it called.

Mr. TAVENNER. Then you were telling us about having dropped out of the group and then rejoining it.

Mr. HAUSER. Well, I just didn't attend meetings for a while, was all. I wouldn't say it was a formal dropping out of it. I just lost interest in it.

Mr. TAVENNER. What was it that caused your interest to be revived?

Mr. HAUSER. Well, there had been the feeling among everybody in the group that the actions taken were completely ineffectual, that they had accomplished nothing during this first period that I belonged, and it was apparently the idea that an effort would be made to do something about this; the idea was that we were going to now go ahead and do something concrete in an attempt to achieve those aims.

Mr. TAVENNER. What brought about this new spirit within the Communist Party?

Mr. HAUSER. Well, I don't think that this was a new spirit within the Communist Party. I think that this particular group had been extremely lax all along, and that it was finally decided to get them in line with the rest of the party, which proved to be pretty impossible, because these people were not dedicated Marxists by any manner of means; for the most part just liberal people who believed in getting on with the war effort and doing everything within their power, at least, to help that.

Mr. TAVENNER. Let's go into that a little bit further. Up until the time of this change in attitude that you speak of which resulted in your attending meetings again, were high functionaries of the party called upon from time to time to take part in the meetings?

Mr. HAUSER. No, we never saw any of them, at least I never did in any of the meetings I ever attended.

Mr. TAVENNER. Were you a regular attendant at the meetings until the time you first dropped out?

Mr. HAUSER. No, I wouldn't—it would be irregular. I would say maybe I would attend 2 meetings and then miss 1 and then attend 2 and miss 1. I didn't go regularly.

Mr. TAVENNER. Over how long a period of time did you attend meetings in that fashion before you ceased to attend?

Mr. HAUSER. Oh, probably 6 months, I presume.

Mr. TAVENNER. What effort was made to indoctrinate the members in Communist Party philosophy and theory during that period of time?

Mr. HAUSER. None that I ever was aware of, except that literature was brought to meetings and offered for sale.

Mr. TAVENNER. All right. Now, you were attending that Communist Party group up until the time that you ceased attending the meetings, then you began attending at a later time.

Mr. HAUSER. Yes, I would say probably 3 months later, something like that.

Mr. TAVENNER. All right. What caused the change in attitude on your part that would result in your again attending meetings?

Mr. HAUSER. Well, I joined it in the first place because I felt that I wanted to add my voice to the aims, as I understood them, which were furtherance of the war effort, certain liberal legislation within the framework of our Government. And I didn't feel at first that anything was being accomplished along these lines, because of the laxity of the organization.

Now, I was told that we were going to get together and push these things, and so I went back, attending meetings, for the same reason that I joined in the first place, that I thought this would be possible.

Mr. TAVENNER. Who were taking the lead in that matter at the time that you came back and started attendance at meetings again?

Mr. HAUSER. There was no formal leadership in this group at the time I belonged to it. A chairman was elected in each meeting, and was somebody different. There was absolutely no person that you could say was the leader.

Mr. TAVENNER. Well, will you tell us about the operations of the group after you came back the second time, for the second period?

Mr. HAUSER. Yes. It was pretty much the same. There was a little more talk about these efforts, the war effort and what we can do about racial discrimination and fair employment, but it turned out to be just talk, and everybody didn't know what their function would be, certainly not within the radio district.

And then about this time a change took place in the Communist Party, and I recall between meetings the whole line seemed to switch completely, the thing that we had been told we were supposed to be standing for. In 1 meeting we were for the war effort, for measures calculated to help the economy of the Nation as a capitalist economy, not to overthrow it.

And people that we had supported for office suddenly, between meetings—well, we were told that this was all wrong, we had been completely wrong in the past. Now it was to be this way. I took the stand——

Mr. TAVENNER. What did you mean by "this way"?

Mr. HAUSER. Well, we were not supposed to support the men and principles that we had supported in the past. As I had understood, during the war the Communist Party in this branch had—the idea was not to change the economy to a Communist economy, but to help make it one that we had worked for. Now we were told that we were wrong in our support of these men and principles, and that we were now going to study Communist literature; we were going to be indoctrinated into communism.

I took the stand if we were so wrong in the past, I didn't see how we could be so sure we were going to be so right in the future. That was a fairly unpopular viewpoint among some of the members. However, there were a good many that agreed with me and after this meeting I left it and never did come back.

Mr. TAVENNER. Do you recall whether or not the Duclos letter had any part to play in that change of attitude——

Mr. HAUSER. Yes.

Mr. TAVENNER. In the Communist Party?

Mr. HAUSER. Yes. I think that was the motivating idea behind the change. I remember discussing this matter that I didn't feel that somebody in France whom I had never heard of should dictate my behavior and my thinking. Because of that I would presume that the Duclos letter was the cause of the switch in the party line.

Mr. TAVENNER. Well, now, what do you mean by stating that you did not agree with having someone dictate the manner of your thinking?

Mr. HAUSER. Well, as I stated, we had all gone on thinking one way, which was apparently all right up to a point, and I guess it must



have been. Then when this letter came out we were told that the way we had been thinking was all wrong; now we must follow this line.

I don't know what it said. I have never read the Duclos letter. I don't know what it said, but I just disagreed with it on principle, because that one man made up his mind it was to be this way that everybody connected with it would have to follow blindly, and I didn't want to do it, and so I didn't.

Mr. TAVENNER. Do you recall who it was that brought this message or that directive to your group?

Mr. HAUSER. I cannot be certain which person it was.

Mr. TAVENNER. Was it a member of your group?

Mr. HAUSER. Yes.

Mr. TAVENNER. Or was it——

Mr. HAUSER. Yes.

Mr. TAVENNER. Or was it from a higher level in the party?

Mr. HAUSER. Yes; it was a member of the group. I could only guess as to who it was.

Mr. TAVENNER. Well, I don't want you to guess.

Mr. HAUSER. I don't know positively.

Mr. JACKSON. You expressed some surprise, because you didn't want anyone directing your thinking. Hadn't your thinking been directed from the day you entered the Communist Party?

Mr. HAUSER. No; no; not in this branch.

Mr. JACKSON. It had not been?

Mr. HAUSER. No.

Mr. JACKSON. You were a free agent, you had freedom of speech, you had freedom of debate, and freedom to do all the things you would do in an American organization?

Mr. HAUSER. In this particular branch that is true.

Mr. JACKSON. Well, that is the most unusual Communist Party branch we have ever heard of.

Mr. HAUSER. I think that this was extremely unusual.

Mr. JACKSON. I will correct that to say that the committee has heard of.

Mr. HAUSER. I would agree, certainly, that this was an unusual branch, and I think that this was the result of the people that were recruited into it. At that time it was fairly easy—it wasn't very difficult in those days to recruit people of liberal tendencies into the Communist Party as long as the aims seemed to be the aims of the Government of the United States, and this was what we were told.

I do not think the intention was that we remain that way, but it was the way I think we were recruited into the party.

Mr. CLARDY. They just hadn't found it necessary to crack the whip because you went along automatically?

Mr. HAUSER. Yes; we went along with everything that everybody else in the country was going along with at that time. When they finally did crack the whip, they found out who the ones were that were not going to go along with them.

Mr. CLARDY. Separated the sheep from the goats at that time.

Mr. HAUSER. Well, maybe the goats from the goats.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. How many folks were in this group at the time of the receipt of the Duclos letter or approximately?

Mr. HAUSER. I would say there were about 18.

Mr. DOYLE. How many of them, to your knowledge, did what you did at the same time you did it or about the same time—in other words, dropped out?

Mr. HAUSER. At or about the same time that I did?

Mr. DOYLE. As a result of the Duclos letter.

Mr. HAUSER. To my knowledge, about four people at that time.

Mr. DOYLE. In other words, about 20 percent?

Mr. HAUSER. Something like that, I would say.

Mr. DOYLE. Were you told by any of the others at an approximate later date that they also had dropped out on account of the Duclos letter?

Mr. HAUSER. Well, 2 of these 4 that I have referred to did at a later date, but not very long after that.

Mr. DOYLE. I notice you said, and I will ask you this question: You said the purpose changed from supporting a capitalistic economy to the theory of overthrowing the Government by force?

Mr. HAUSER. No; I didn't say that. I don't think I said that. At least, that is not what I meant to say. I said that there had been no—that we had been told to support—the purpose of this branch was to support the capitalistic economy.

Mr. DOYLE. Did it ever come to the knowledge of your group that the purpose of the Duclos letter might be to overthrow the capitalistic economy instead of supporting it? You have used the term "overthrow."

Mr. HAUSER. It seemed to me that the Duclos letter was in line with the policies of the Soviet Union rather than the policies of the United States, and I certainly would assume from that that the Soviet Union would wish to overthrow the United States, and if you followed the policies of the Soviet Union, then I think you would be attempting to overthrow the capitalistic system; yes.

Mr. DOYLE. When did you come to that conclusion?

Mr. HAUSER. Well, at the time of the Duclos letter, I guess.

Mr. DOYLE. Well, that is what I am getting at. What changed or what caused you to realize, if anything did, that the purpose of the Soviet Union was to overthrow the capitalistic system?

Mr. HAUSER. Really, the actions of the Soviet Union. I believe that had more to do with it than anything else, at any one time. They had been our ally and everybody was pretty much, apparently, in favor of them and suddenly the picture changed and they went all out to do everything they could against us. It seemed to me then that to support the policies of a foreign government that was apparently dedicated to our own destruction as was the Soviet Union, was the wrong thing to do.

Mr. DOYLE. In other words, as you said, the Duclos letter was the cause of a switch in the line.

Mr. HAUSER. I think so.

Mr. DOYLE. And you had to make a choice, and you chose to get out of the Communist Party?

Mr. HAUSER. Yes; yes, that is right.

Mr. TAVENNER. When you stated that you were told that your thinking had been wrong, can you be more definite as to what it was, in your thinking, that you were told had been wrong?

Mr. HAUSER. Well, I got the impression that the things that we had been standing for, the support of the war effort, the support of measures calculated to strengthen the present economy of our Nation, that those things were now wrong; that this had been a mistake. We should not have done this.

And I went into the Communist Party with no intention of ever doing anything else but that, and when I found the Communist Party was going to be different than that I got out of it.

Mr. TAVENNER. Now, how quickly was it you got out after the Duclos letter?

Mr. HAUSER. This one meeting where I have the argument was the last one I ever attended.

Mr. TAVENNER. Was any effort made to get you back into the party on any occasion?

Mr. HAUSER. No. I got a pretty distinct feeling that they felt that they were pretty well rid of me.

Mr. TAVENNER. You said there were about, possibly as many as 18 in that group in radio. Were there 18 members at any one time, or did that compose all the members that were members at one time or at different times?

Mr. HAUSER. That composed all of the members that I ever knew of in that group.

Mr. TAVENNER. Now, will you give us the names of the members of that group, please?

Mr. HAUSER. Yes; but may I preface this by saying that some of the people removed themselves from this group.

Mr. TAVENNER. Yes; I think it is quite proper that where you know of your own knowledge that a person did leave the party—

Mr. HAUSER. Yes.

Mr. TAVENNER. To so state.

Mr. HAUSER. Yes.

Mr. TAVENNER. And in giving the names of the members I would want you to also tell me what positions they occupied from time to time in that group in the way of leadership, importance in leadership, if you can.

Mr. HAUSER. Mr. Tavenner, I would be happy to do this, but as I say, there was no leadership in this group. This was an extremely lax organization. There was no permanent structure to it whatsoever, and there just wasn't anybody, any person who could be considered a leader of that group.

Mr. TAVENNER. Let me ask you this question: What dues did you pay?

Mr. HAUSER. I believe that it was \$2 a meeting, but my memory may be hazy on that point. I didn't pay too much attention.

Mr. TAVENNER. To whom did you pay your dues?

Mr. HAUSER. At each meeting the financial director or financial chairman was appointed or elected by the group and that person collected the dues. I cannot specifically recall actually any one individual that I paid dues to, although I know it was to somebody in the group, and I saved none of the receipts or anything of that nature.

Mr. TAVENNER. Did you act in any capacity in the group in a different way from the other people who served?

Mr. HAUSER. I never did serve as a chairman or anything like that.

Mr. TAVENNER. You did not?

Mr. HAUSER. No.

Mr. TAVENNER. Did you ever serve as dues secretary?

Mr. HAUSER. No, I never served in any position except to go to the meetings.

Mr. TAVENNER. Do you recall who was the educational director of the group?

Mr. HAUSER. No. Again, as I say, we had no permanent director. I believe it worked this way, if I can recall correctly: At one meeting the literature director for the next meeting was appointed, and it was never necessarily the same person.

Mr. TAVENNER. All right. If you will proceed then to tell us who were members of this group.

Mr. JACKSON. Mr. Counsel—

Mr. TAVENNER. Yes, excuse me.

Mr. JACKSON. When you reach a convenient breaking point we will take a recess.

Mr. TAVENNER. Possibly this is a good time.

Mr. JACKSON. Very well. The committee will stand in recess until 5 minutes after 11.

(At this point a recess was taken from 10:35 a. m. to 11:05 a. m.)

#### AFTER RECESS

Mr. JACKSON. The committee will be in order.

Mr. TAVENNER. Mr. Hauser, will you give the committee, please, the names of persons who were members of this radio group of the Communist Party at the same time you were?

Mr. HAUSER. There was Owen Vinson, Paul Marion.

Mr. TAVENNER. How do you spell the last name?

Mr. HAUSER. M-a-r-i-o-n.

Mr. TAVENNER. Can you identify the person a little more fully?

Mr. HAUSER. Well, he was at the time a radio actor. He is now a moving-picture actor and I believe he has appeared before this committee. Georgia Backus. Harmon Alexander. Abe Burrows.

(Representative Kit Clardy reentered the hearing room at this point, 11:14 a. m.)

Mr. TAVENNER. Can you recall any particular incidents that occurred which would emphasize the fact that you know that Abe Burrows was a member of this group with you?

Mr. HAUSER. Other than the fact that he attended several of the meetings that I attended.

Mr. TAVENNER. Was a meeting ever held in his home?

Mr. HAUSER. Yes, I believe there were 2; possibly only 1 in Abe Burrows' home.

Mr. TAVENNER. Can you approximate the time or the date when the meeting or meetings were held in his home?

Mr. HAUSER. I believe this would have been very early in my membership, which would place it sometime probably early in 1944. This is only, however, an approximation. I didn't keep records of this. I didn't realize I would ever need them.

Mr. TAVENNER. All right.

Mr. HAUSER. Sam Moore.

Mr. TAVENNER. Sam Moore.

Mr. HAUSER. Annette Harper.

Mr. TAVENNER. Annette Harper.

Mr. HAUSER. Yes.

Mr. TAVENNER. All right.

Mr. HAUSER. Naomi Robeson.

Mr. TAVENNER. What is the spelling of Robeson?

Mr. HAUSER. R-o-b-e-s-o-n, I believe. Lynn Whitney.

Mr. TAVENNER. Lynn Whitney.

Mr. HAUSER. Yes. Karen Kinsel.

Mr. TAVENNER. What was the first name?

Mr. HAUSER. Karen, K-a-r-e-n, I believe.

Mr. TAVENNER. The last name?

Mr. HAUSER. Kinsel.

Mr. TAVENNER. How do you spell it?

Mr. HAUSER. I presume it would be K-i-n-s-e-l. I don't know for sure on it. The best of my knowledge, the rest of the people I knew in this group left it at about, at or about the same time I did, and for the same reasons I did.

Mr. TAVENNER. Now, let me ask you this: Do you know whether Henry Blankfort was a member of this group?

Mr. HAUSER. Yes; he was. I am sorry.

Mr. TAVENNER. Was he active in the affairs of this group?

Mr. HAUSER. Henry Blankfort came into the group sometime after I did, and I was under the impression that he was assigned to this group by some other group, in order to straighten it out and make it function as a Communist Party group was supposed to function, which it nearly had done, and to my knowledge never did do up until the time I got out of it.

Mr. TAVENNER. Can you tell the committee what members of this group took the lead in putting over the Communist Party line that the Duclos letter was to be accepted and the theories of Browder should be treated as a mistake?

Mr. HAUSER. I would say that the leadership along those lines would have been taken by Henry Blankfort, Georgia Backus, and Harmon Alexander.

Mr. TAVENNER. Are you acquainted with Pauline Hopkins?

Mr. HAUSER. I have heard of Pauline Hopkins; yes. I did not know her as a member of the Communist Party.

Mr. TAVENNER. Are you acquainted with a person by the name of Murray Wagner?

Mr. HAUSER. Yes.

Mr. TAVENNER. Was he a member of this group?

Mr. HAUSER. He is the one that I spoke of earlier. He is the man who recruited me and who left the party, I believe, before I did, to my knowledge.

(Representative Kit Clardy re-entered the hearing room at this point, 11:15 a. m.)

Mr. TAVENNER. If he left the party before you did, at about what time did he leave the party?

Mr. HAUSER. I believe he was called into the Army sometime in 1944, and when he came back from the Army, it would have been after I left the party, he came to my home and told me how disturbed he was over the turn of events.

It was my understanding at that time that he had determined to sever his connection with the party. I haven't seen a great deal of him since then, but to my knowledge that was his intention at that time.

Mr. TAVENNER. Were you acquainted with Paul McVey?

Mr. HAUSER. Yes, I was.

Mr. TAVENNER. Was he a member of this group?

Mr. HAUSER. He was. And he, according to what he has told me, left it shortly after I did for the same reasons that I left it. I see him quite often. He is a radio actor in town, and he and I have discussed this matter several times, and it my understanding that he has abided by his decision to leave the party, not be identified with it or its front organizations.

Mr. TAVENNER. Did you become acquainted with a person by the name of Roy Erwin?

Mr. HAUSER. Roy—

Mr. TAVENNER. Roy Erwin.

Mr. HAUSER. Erwin?

Mr. TAVENNER. Erwin.

Mr. HAUSER. Yes, I did.

Mr. TAVENNER. What is the correct spelling of his last name?

Mr. HAUSER. I believe it is E-r-w-i-n.

Mr. TAVENNER. Was he affiliated with this group at any time?

Mr. HAUSER. Yes; he was brought in as a member in the meeting in which I broke off relations, so our brush in the party was very short, I would say about half an hour, because I left the meeting early. When I got into this argument about whether or not to follow this new line, or not, and determined not to, I left the meeting early, but he came to his first meeting about half an hour before I left it.

I believe he was brought in by Nina Klowden.

Mr. TAVENNER. Who?

Mr. HAUSER. Nina Klowden.

Mr. TAVENNER. Will you give us the spelling of the last name, please?

Mr. HAUSER. K-l-o-w-d-e-n, I believe.

Mr. TAVENNER. Nina Klowden?

Mr. HAUSER. Yes. It is my understanding that Roy Erwin stayed in the party about 3 months, and he also came to me and discussed the way the thing had turned, and indicated to me that he was completely disillusioned with it, that it did not turn out to be what it had been represented to be. That was my understanding, that he left the party after about 3 months.

Mr. TAVENNER. Do you know whether he returned to the party at a later date at the instance of a Government agency?

Mr. HAUSER. I did not know this until 2 or 3 days ago, but I have been told by Roy Erwin since then that he did return to this branch of the party as an agent of the Government.

Mr. TAVENNER. What has occurred within your career or experience since 1945, at the time you say you left the Communist Party, which would indicate your opposition to the Communist Party since that time?

Mr. HAUSER. I have at every possible opportunity in my writing with radio programs tried to bring out things American in support of this country. There are a good many of those radio scripts that are on record that I suppose could be brought to this committee, if they would care to see them. I have not actively taken part in any organizations of any kind since that time, but have given of my time as a writer and a director to various agencies of the Government, and Red

Cross blood banks, and heart program, and things of that nature, which I consider to be of value to the Nation.

I have just concluded a series of radio programs based upon the principles of American justice, which I think have spoken pretty well of my beliefs along that line. I believe they are calculated to instill a feeling of pride and support of the Government of the United States.

Mr. TAVENNER. When was a subpoena served on you to appear as a witness before this committee?

Mr. HAUSER. I believe it was a week ago—2 weeks ago Wednesday, I believe; 2 weeks from this last Wednesday.

Mr. TAVENNER. What action did you take when a subpoena was served on you? What did you do about it?

Mr. HAUSER. Well, I was asked if I wanted to get a lawyer or if I wanted to discuss the matter with the investigator, and I said yes, that I would gladly discuss it, which we did. This was in the evening, the subpoena was served on me.

The next morning I came into the place where I am employed and told my immediate superiors what had occurred and what I intended to do about it, and met with, I would say, a surprising reaction to me because I had naturally expected this for about 8 years.

When the sword fell it wasn't quite as sharp as I thought it was going to be. I received from my employers wholehearted support of my stand.

Mr. TAVENNER. Was that support given to you on the theory that you were going to be honest about this matter and that you were going to tell the committee what you knew and answer the questions regarding your knowledge of the Communist Party activities?

Mr. HAUSER. Well, yes; I presumed that was assumed that I would be, or otherwise I would have been—

Mr. TAVENNER. And did you make an explanation yourself to your employer?

Mr. HAUSER. Oh, yes; yes, I did.

Mr. TAVENNER. What your part in this enterprise had been?

Mr. HAUSER. Yes, yes, I did.

Mr. TAVENNER. And belief was expressed in the truthfulness of your statements?

Mr. HAUSER. Yes.

Mr. TAVENNER. Now, I interrupted you. What was the result of your talking to your employer in this manner?

Mr. HAUSER. Well, within about a half-hour after I told him this I was back in the studios producing radio shows, which was something of a surprise to me. I have been producing radio shows for them ever since and I presume that I will continue to do so after today. At least it has been indicated to me that no economic sanctions would be imposed upon me for coming here and telling this committee what I know.

I believe that the official attitude of the company was if any employee of that company had any specialized knowledge which a body of the United States Government wanted, the fact that that person gave that testimony would in no way have any bearing on their job.

Mr. TAVENNER. That is if it were given truthfully and in good faith?

Mr. HAUSER. Yes, of course, which to the best of my knowledge I have done. I am not trying to hide anything.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. CLARDY. I have just one or two, Mr. Chairman.

Mr. JACKSON. Mr. Clardy.

Mr. CLARDY. For a long time and until these hearings started back in Washington, and then some of them were held in Michigan before I went on the committee, but particularly since we have been out here, along with others, I have been puzzled over how men of intelligence, which you obviously possess, could ever be led off into this path that leads ultimately to the destruction of the American system.

I want to let you know that I appreciate your explanation along with that given by the other witnesses, because I think you are enabling a lot of people about the country, particularly in this section, to understand why it is this sickness seems to creep over people and then eventually, if they are made of the right stuff, they throw it off.

I wanted to ask you this: Is there anything concrete that you have to suggest that would accelerate the speed with which we can bring people back to a realization and understanding of what communism really is all about.

Mr. HAUSER. Well, yes, I believe that Communist propaganda and Communist literature should be made available to the people. I think if I had ever read any of it before I joined the Communist Party I never would have joined it. I don't believe that very many people—I think that the efforts of recruiting people into the Communist Party follow the lines of approaching people of liberal thought, people who were not indoctrinated into Marxism, into Marxist communism. They try to get them into the party and then after that indoctrinate them into these philosophies, and I would think if these philosophies and propaganda were made public knowledge that it certainly would deter most anybody from making this mistake or being a victim of this deception, which I consider that it was, but a calculated one, although I believe that the United States was the victim of the same deception but on a larger scale nationally for a while.

Mr. CLARDY. You mean by that that not all of the people, but at least some of them, were misled?

Mr. HAUSER. Yes; I think our Government was misled for a while.

Mr. CLARDY. Well, now, to come back to the question I asked before: Do you have in mind anything specific, definite, or concrete by way of legislation that you think we could suggest to the Congress, and by "we" I mean this committee?

Mr. HAUSER. I don't really believe that the problem can be cured by legislation. I don't know that it would be of any particular value to outlaw the Communist Party. Those dedicated to Marxist communism would still continue to work whether it was legal or illegal. It might deter some people from joining it under a deception.

I don't know that I particularly favor outlawing the Communist Party as a means of fighting it. I am not sure that it would help a lot. I think the two great political parties that we have in the country today offer a better opportunity to fight it.

A political neophyte such as I was when I got into the Communist Party—you go along up to a certain age, not caring a great deal about public affairs of public problems, but some of us eventually become interested in these things and we want to find an area of expression for these things.

If you belong to the Republican or Democratic Parties, mostly you go along and vote once in a while, which seems to me that the Com-



munists have adopted, they have adopted the theory that there should be an effort to indoctrinate people into their way of thinking and maybe if the Democratic and Republican Parties would do the same thing with the younger people of the country that they would accomplish something.

Mr. JACKSON. We all work at it.

Mr. HAUSER. Yes; I know that, but unfortunately the Communists that I know were harder workers politically than the Democratic and Republican Parties or the Republicans or Democrats whom I know. I think that is too bad, but I am afraid it is true.

Mr. CLARDY. You think we ought to take the brakes off and work at it a little harder?

Mr. HAUSER. Yes; I should say so.

Mr. DOYLE. I should say a good deal harder, Colleague.

Mr. CLARDY. Yes; I agree with you.

Now one further question and then I am done.

Would you not say that the turning of the spotlight on the squirming creatures you have seen on the stand here has done a pretty good job of educating the public to what communism really means and what ends it desires?

Mr. HAUSER. Yes; I would agree with that. I think that there are probably people who have stood on the fifth amendment due to a misplaced sense of loyalty. Maybe people that did get out—I don't know all of these people that I have mentioned—some of them might be out of the party. I don't know. I think that there may be some reluctance due to a misplaced sense of loyalty.

Mr. CLARDY. Have you any criticism to make of the committee or its methods?

Mr. HAUSER. Well, I think that this committee has made some mistakes in the past, but I think that I have been well treated by this committee. I know I have no feeling of animosity, certainly.

Mr. CLARDY. As I understand from what you have said, once you have made your confession, the horrible things which you had anticipated from society have not fallen upon you?

Mr. HAUSER. This is very, very important. I think if I can add anything at all, and I don't want to make a speech or anything, but if I can add anything at all, it would be to say to the ex-Communists, to the persons who have made a decision against them as I did and who have lived in pretty terrorizing fear for 8 years, especially people with families such as I who want to—who have a desire and go tell some legal body, "Yes, I was," but you fear to do this for the economic welfare of your children. At least, this was my experience.

As I say, when it finally happened and up to now, at least, the fear that I felt for 8 years was groundless.

Mr. CLARDY. You have found forgiveness in the Christian people of this Nation, haven't you?

Mr. HAUSER. Yes, I think so, very definitely.

Mr. CLARDY. Thank you, Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I think, Mr. Chairman, I first wish to remark that while I do not know the name of the employers of this gentleman, we should compliment them on the way they have so far acted in this matter. I wish to compliment his employers, whoever they are.

I wish to say preliminarily to a question or two that I wrote down here what you said as to the reasons you joined the Communist Party and that they were very American and unsubversive. We seldom hear that word used, "unsubversive." You mean not subversive, do you?

Mr. HAUSER. Yes.

Mr. DOYLE. "When I joined the party in 1943." Now, I wish to say that I think I thoroughly understand your motive in joining the Communist Party in 1943. The reason I think I understand your motive was that you were interested in supporting the war effort. You believed in true liberalism. You believed in the liberal legislation within the framework of the Constitution, according to your own language a minute ago. You believed in fair employment and you were against discrimination, and in my book all of those are worthy objectives, sir, and they still are. And I hope you will continue to vigorously support those objectives.

Now, I can understand, therefore, why when you had an awakening and the motives of the Communist Party switched to supporting the Soviet line as contradistinguished from the American line, I can understand why you promptly got out, and I wish more people would do that, when they had their awakening, that they would get out and stay out and then do something to inform the American people of the Communist conspiracy that exists.

I can also understand another reason why you have been fearful for these 8 years. You are a married man with children. That is quite a human thing to do, and to feel, and I can understand that and I sympathize with you and I sympathize with other American people who are similarly situated. But I wish to urge other American people who are now patriotic to also not be fearful but to come clean and support their Nation.

There is one question I wish to ask: What was the average age of the people in the cell that you refer to? Were they young people, middle aged, or what?

Mr. HAUSER. I believe that the majority were young people.

Mr. DOYLE. How young?

Mr. HAUSER. Oh, I would say in their 20's and 30's—along in there. There were older people than that in the group but not very many. Mostly it was young people. And mostly, I believe, they were people of sincere belief, as I was.

If I could, I would like to urge specifically those people that got out when I did, that were mentioned here earlier, who I know are living in fear of economic recriminations, to come and do the same thing I have done, and I think they will get out very clean and without sanctions.

Mr. DOYLE. Thank you very much. No other questions.

Mr. SCHERER. I have no questions.

Mr. JACKSON. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. JACKSON. I believe that during the course of your testimony you named, as one of the members of your group, Abe Burrows.

Mr. HAUSER. Yes, sir.

Mr. JACKSON. And that you held, if my recollection is correct, at least one meeting at his home.

Mr. HAUSER. That is correct.

Mr. JACKSON. What was his occupation at that time?

Mr. HAUSER. He was a radio writer.

Mr. JACKSON. Where was he working?

Mr. HAUSER. He was writing for a network show, but I believe he was writing as a free-lance writer and not employed by a network. Probably by an agent, but I don't know what agency it was.

Mr. JACKSON. Were these meetings of your group closed meetings of the Communist Party?

Mr. HAUSER. Yes, sir.

Mr. JACKSON. And only members of the party would be present at those meetings?

Mr. HAUSER. So far as I know, yes.

Mr. JACKSON. Was that generally understood by those who were in attendance at the meetings?

Mr. HAUSER. Yes.

Mr. JACKSON. That it was a closed meeting of the Communist Party?

Mr. HAUSER. That is right.

Mr. JACKSON. Is it conceivable that anyone could have been in a meeting of that kind or could have held a meeting at his home without knowing that it was a meeting of the Communist Party branch?

Mr. HAUSER. No; it was not.

Mr. JACKSON. Mr. Counsel, I believe that Mr. Burrows appeared before the committee?

Mr. TAVENNER. Yes, he did.

Mr. JACKSON. In Washington?

Mr. TAVENNER. Yes.

Mr. JACKSON. Was there a denial or an affirmation as to his alleged connection with the Communist Party? Just exactly what was the situation with respect to Mr. Burrows? I realize you don't have the testimony here, but what is your recollection?

Mr. TAVENNER. According to the best of my recollection, Mr. Burrows stated that he did not recall having paid dues to Mr. Vinson, as Mr. Vinson claimed in his testimony.

Mr. Vinson was the treasurer of the radio group which you had spoken of.

Mr. HAUSER. I believe that was after I got out of it, Mr. Tavenner. I don't recall Vinson having been the treasurer. We didn't have any permanent treasurer.

Mr. TAVENNER. But Mr. Burrows admitted membership in a group, and according to my recollection stated that no doubt they were justified in concluding he was a member of the Communist Party group, but his statement was, I thought, a little, according to my best recollection at this moment, was a little uncertain as to whether or not he admitted Communist Party membership. That is about the best I can answer your question.

Mr. JACKSON. That is sufficient. Mr. Clardy.

Mr. CLARDY. Was any question asked Mr. Burrows as to whether or not Communist meetings had ever been held in his home or can you recall that?

Mr. TAVENNER. I would not like to attempt to answer that.

Mr. CLARDY. You are not standing on the fifth amendment.

Mr. TAVENNER. No.

Mr. JACKSON. Were any promises made to you by investigators or counsel in return for your cooperation with the committee?

Mr. HAUSER. No.

Mr. JACKSON. Were you promised any immunity or any special privilege as a result of your testimony before the committee?

Mr. HAUSER. No, I was not.

Mr. JACKSON. There is one remark which I cannot let pass, and which I would like to have on the record. You said that this committee had made mistakes in the past. Could you name any of them at this time?

Mr. HAUSER. I think the conduct of the hearings by some previous chairman were a little brutal.

Mr. JACKSON. Do you know of anyone who has been called before the committee without justification or without proper evidence to require their presence?

Mr. HAUSER. No, I don't, but I think from a public relations point of view, and that is the reason why I answered the question in that way, as to how it would help in the fight against communism, and I must say that I think the present chairman is doing an admirable job, but I think in the past sometimes the conduct of the hearings has not contributed to the fight against communism.

Mr. JACKSON. Perhaps public relationswise.

Mr. HAUSER. That is what I had in mind.

Mr. JACKSON. It might have had its shortcomings, but I am still waiting for a witness to say who has been called before the committee without proper justification.

Mr. HAUSER. I didn't insinuate that, sir.

Mr. JACKSON. I would like to join with my colleague, Mr. Clardy, in the expression that all of the American people, many hundreds who have written in during the course of these hearings, have evidenced almost unanimously a desire to see the economic, social and political rehabilitation of those who have come forward to give testimony at these hearings.

Mr. DOYLE. I believe you have a matter before we recess.

Mr. DOYLE. Mr. Chairman, Mrs. Edith Macia, the former FBI agent who volunteered the fact that she was born in 1884, volunteered the fact that her Communist Party card name was Edda Nichol and that the number was 83346. She testified Saturday that she was a member of a Communist cell which met at the Woman's Club in Los Angeles for a time.

In view of her testimony, that the Communist Party cell was apparently a tenant under the West Adams Women's Club tenancy, I urge it be made clear whether or not the West Adams Women's Club was in fact landlord or had been imposed upon, or what.

I wish to say that I received this telegram from the executive board of the West Adams Women's Club, signed by Mrs. Charles B. Blakeslee, president. It is dated today, and I think, in justice to the situation, that the telegram should be immediately read.

Congressman DOYLE,

*Statler Hotel, Los Angeles, Calif.:*

The West Adams Women's Club is a patriotic and civic group of women. Our auditorium is rented to various groups. We employ a custodian to care for the club and supervise the rentals for us. It is the policy of the club to cancel all rentals not meeting club rules. It is impossible, however, to know upon applica-

tion of the renters the true nature of their meetings. In this respect we offer our sincere regrets in being placed in this innocent embarrassment. Our books are open for inspection and we welcome your investigation at any time and offer our cooperation. We compliment you on the fine work of your committee. It is certainly a tribute to the women of America who appreciate your determination to expose those who would deprive us of our American heritage. Please read this message over television in your next session.

THE EXECUTIVE BOARD OF THE WEST  
ADAMS WOMEN'S CLUB,  
MRS. CHARLES B. BLAKESLEE, *President*.

I am very glad to have done so, Mr. Chairman.

Mr. JACKSON. The committee is very happy to have the telegram from the West Adams Women's Club.

Mr. Counsel, do you have anything further at this time?

Mr. TAVENNER. There has been handed me by counsel, Mr. John P. Tobin, a motion with regard to the appearance of his client, Halldora Kirstin—H-a-l-l-d-o-r-a K-i-r-s-t-i-n—Sigurdson—S-i-g-u-r-d-s-o-n—who has been subpoenaed as a witness to appear here.

The statement is made in the motion that Miss Sigurdson is desirous of cooperating with the committee, but that there has recently been a decision of the Immigration Appeals Board affecting her, and that a motion for reconsideration of that decision will be filed next week. And in view of that pending matter, she is asking, through counsel, that her appearance here be postponed.

Mr. JACKSON. What is your recommendation?

Mr. TAVENNER. I think under the circumstances it should be postponed.

Mr. DOYLE. I think it will be a splendid thing to do, Mr. Chairman. We have the established policy, as you know, of never making any move in this committee that might directly or indirectly affect or embarrass any person of proving their legal rights in any court or before any department. I think it will be very wise to put it over as per the request.

Mr. JACKSON. Without objection on the part of the committee, it will be so laid over.

Mr. TAVENNER. I have a number of other communications.

This is a letter from Mr. John Edwin Fisher, 6566 West 84th Street, Los Angeles:

During Saturday's hearing a witness, Mrs. Macia, listed the names of Mr. and Mrs. Ed Fisher, who moved to Los Angeles from San Francisco. Inasmuch as I am known both socially and in business as Ed Fisher and also because my wife Rose Irene is from San Francisco, would you have Chairman Velde state in the records that my wife and I are not the Fishers mentioned and are in no way connected with the Communist Party?

I have a telegram from Joe McCloskey, M-c-C-l-o-s-k-e-y:

My name is Joe McCloskey. I am a jewelry salesman residing at 8257 West Norton Avenue, Los Angeles 46. \* \* \* I would like to have the following written into the record: I am not the Joe McCloskey named by Mrs. Edith Macia as having attended Communist meetings. I am not now nor have I ever been a member of any communistic group. I am a Roman Catholic and this has caused me great embarrassment. I will gladly cooperate in any manner you may advise that my name may be entirely cleared. Congratulations on your splendid work.

A telegram from Mrs. Wilma Schorr, 1783 South Cherbourne Drive:

Mr. Tavenner, will you kindly clarify the fact that the Wilma Shore mentioned in David Lang's testimony is not the person residing at 1783 South Cherbourne Drive, Los Angeles, as I am being deluged with calls regarding this situation?

A telegram from Michael Frank, 4130 Van Buren Place, Culver City, Calif.:

I am not the Michael Frank Mrs. Macia produced in her list.

Sam Horn, a telegram:

The name of Sam Horn was mentioned in Saturday morning's March 28 hearing by the Un-American Activities Committee. I am in business and my residence is 829 Rimpian Boulevard.

I am certain I have read a similar telegram from that person, or I believe a telephone message. At any rate, the person states that he is not the same person who was named by Mrs. Macia.

Another telegram from Glen Dawson and Muir, M-u-i-r, Dawson:

We wish to correct an error in testimony given you Saturday. Dawson's Book Shop has never engaged in the distribution of Communist literature. Neither one of us are members of the Communist Party nor do we have any sympathy with the Communist Party or its aims. We both served in the United States Army in World War II, and if called upon again, would serve against any enemy of the United States.

My recollection is that a person by the name of Dawson mentioned in that testimony was said to have been deceased.

Mr. DOYLE. That's right; I so stated, and the witness so stated.

Mr. TAVENNER. Here is a telegram addressed to me from a witness, Norman Byrne:

I understand by my lawyer, Robert Kenny, you wish all witnesses who object to television to appear executive session April 6. I do object to appear before TV. I will therefore appear April 6. Unable to contact Wheeler. Hence this wire. To verify call Kenny, Madison 9-1137.

Mr. CLARDY. When is the telegram dated?

Mr. TAVENNER. March 29.

Mr. CLARDY. Los Angeles?

Mr. TAVENNER. 1953. Lancaster, Calif.

Mr. CLARDY. Any time on it?

Mr. TAVENNER. I am unable to decipher it.

Mr. CLARDY. That witness, as I recall it, through Mr. Kenny, was ordered to report here this morning. Am I not correct?

Mr. JACKSON. Let's correct that. I think Mr. Kenny stated that he appeared to be acting as an agent, but did not know if he was representing the man or not.

Mr. TAVENNER. He stated he represented him only for the purpose of relaying the message as to a broken spring in a car.

Mr. JACKSON. I believe the committee should take this under advisement and consider it during the noon recess. Without objection, we will take that action. In connection with the various disclaimers that are being telephoned in and sent in by telegram, while the committee is very anxious to see that no injustice is worked upon any entirely innocent person, the committee cannot undertake, of course, to vouch for the facts of the case. The communications are read, and beyond that there is nothing further that the committee can do in the matter. That should be made clear, I believe, Mr. Counsel.

There is one other thing. There have been a number of communications since the Guide to Subversive Organizations and Publications was mentioned in the committee hearings. This publication, prepared and released by the House Committee on Un-American Activities, House of Representatives, can be obtained, at least as long

as the present supply lasts, by addressing a communication to the House Committee on Un-American Activities, House Office Building, Washington, D. C.

Do you have anything further, Mr. Counsel, at this time?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The committee will stand in recess until 2 p. m.

Let the record show the witness Hauser was dismissed.

(Thereupon, at 11:57 a. m., the hearing was recessed, to reconvene at 2 p. m., same day.)

#### AFTERNOON SESSION

(At the hour of 2:10 p. m., of the same day, the proceedings were resumed, the same parties being present.)

Mr. JACKSON. The committee will be in order.

Who is your first witness, Mr. Counsel?

Mr. TAVENNER. Mr. David Robison.

Mr. JACKSON. Mr. Robison. Is Mr. Robison in the hearing room or in the hallway?

Are you Mr. Robison?

Mr. ROBISON. Yes.

Mr. JACKSON. Do you solemnly swear that in the testimony you are about to give, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROBISON. I do.

#### TESTIMONY OF DAVID ROBISON, ACCOMPANIED BY HIS COUNSEL, WILLIAM B. ESTERMAN AND DANIEL G. MARSHALL

Mr. TAVENNER. What is your name, please, sir?

Mr. ROBISON. David Robison.

Mr. TAVENNER. Will you spell your name, please?

Mr. ROBISON. R-o-b-i-s-o-n.

Before I proceed, Mr. Counsel, might I request I be given to the photographers and there be no more pictures taken during the proceeding. Not on the television. I mean simply by the press.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. ROBISON. May I ask whether I will have the right to cross-examine any witnesses who may or may not have appeared and given this committee any testimony concerning me?

Mr. JACKSON. The rules of the committee do not permit cross-examination of the witnesses.

Mr. ROBISON. I see. May I make a statement on my own behalf at this point?

Mr. JACKSON. Any statement you wish to submit to the committee, will be received.

Mr. ROBISON. I see. So far as any statement by my counsel is concerned, could my counsel make a statement at this time?

Mr. JACKSON. The rules of the committee do not permit oral statements by counsel.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. ROBISON. Yes; I am.

Mr. TAVENNER. Will counsel please identify themselves for the record?

Mr. ESTERMAN. William B. Esterman.

Mr. MARSHALL. Daniel G. Marshall.

Mr. TAVENNER. When and where were you born, Mr. Robison?

Mr. ROBISON. I was born in Crestwood, Westchester County, the State of New York.

Mr. TAVENNER. Where do you reside now?

Mr. ROBISON. Los Angeles.

Mr. TAVENNER. When were you born?

Mr. ROBISON. January 29, 1911.

Mr. TAVENNER. What is your occupation?

Mr. ROBISON. I was trained as a music historian. I have been a teacher, and I am now a writer.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. I graduated from Townsend Harris Hall High School in New York with honors. I attended Columbia University. I received my A. B. and M. A. degrees.

I received the Clarence Barker Fellowship and William Mason Fellowship.

And I continued my studies for 2 years at the University of Vienna.

Mr. TAVENNER. When did you receive your M. A. degree at Columbia University?

Mr. ROBISON. It was, I believe, in the year—the formal reception of the degree was in the year 1936.

Mr. TAVENNER. And when did you complete your formal education at the University of Vienna, in what year?

Mr. ROBISON. In—let me change that. I received the M. A. from Columbia in 1937, and I completed my studies in the University of Vienna in 1936.

Mr. TAVENNER. What was your employment since 1937, and where?

Mr. ROBISON. Well, Mr. Tavenner, as I explained, I have been occupied in several professions. Now, this would seem to be a very general question. I wonder if you could be more specific.

Mr. TAVENNER. A general answer would be satisfactory.

Mr. ROBISON. I was professionally engaged as a teacher, and excuse me one moment—

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Mr. Tavenner, as a writer and as a teacher, I have been employed in a great many places, and if you would ask me a direct question it would simplify it for me to answer. My employment record has been quite varied and quite extensive. If you could be more specific.

Mr. TAVENNER. When did you come to Los Angeles?

Mr. ROBISON. In 1942.

Mr. TAVENNER. Prior to that time had you been engaged in the profession of teaching?

Mr. ROBISON. That is correct.

Mr. TAVENNER. Where?

Mr. ROBISON. It is a shocking thing, Mr. Tavenner, that I hesitate before I answer this question, but because of what is to me the unexcusable and destructive invasion by this committee of the educational field, I have to give some more consideration to the answer. I will have to consult counsel for one moment, please.



(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Before I answer, Mr. Chairman, may I repeat the request that pictures not be taken—is that possible—during the proceedings? It is a little bit disconcerting. Is that possible?

Mr. JACKSON. I am sorry. I didn't hear the request.

Mr. ROBISON. May I repeat the request that pictures not be taken during the testimony, because it is somewhat disconcerting to have the flash bulbs going off. I will be very happy to give the press any pictures they want afterward or before.

Mr. JACKSON. Yes. I would request the photographers to take a minimum of pictures during the course of the testimony, unless something unforeseen or untoward requires a picture. In that case I would not feel that I should limit activities.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. May I request for my own clarification that I be told what legislative purpose a question concerning my teaching record has at this moment?

Mr. JACKSON. The committee will have to be the judge of whether or not the inquiry is material and pertinent, and I assure you that all of the questions that will be asked of you will have a very definite purpose.

Mr. ROBISON. I am asking specifically about this question, about my question relating to my teaching record. Has this a legislative purpose?

Mr. JACKSON. The committee has embarked upon an investigation designed to disclose the nature and extent of Communist propaganda activities in a number of fields. Included among the committee's objectives is the extent and nature of Communist infiltration into education.

Therefore, to the extent the question bears upon your experience in education the Chair feels that it is a pertinent question and relates to the subject of the investigation.

Mr. DOYLE. Mr. Chairman, may I ask this: The last clause of Public Law 601, as counsel knows, directs us to study these matters with reference to suggesting remedial legislation to the United States Congress, so every question and answer bears on the last section of the law under which we function. Every investigation we make is for the purpose of considering what legislation should be recommended to and considered by the United States Congress.

Mr. ROBISON. I see.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. I am trying to frame my answers, but of necessity, in order to frame my answers, I have to understand as well as I can the framework of the question. Now, I would assume from your remark, Congressman Doyle, that there is almost no area of life in this country which is not there for subject to investigation by this committee.

Mr. JACKSON. Is there any phase of life in this country which is not subject to the propaganda activities of the Communist Party?

Mr. ROBISON. That isn't what I said.

Mr. JACKSON. Well, that is, I think the essence and gist of what I said to you, and I feel that the question that has been asked is relevant, and I hope that you will see fit to answer it.

Mr. ROBISON. What is the pending question, a question concerning my teaching record? Is that the pending question?

Mr. TAVENNER. Will you read the question to the witness, please?

(The question was read.)

Mr. ROBISON. I was engaged in teaching in the city of New York and Nashville, Tenn.

Mr. TAVENNER. And what educational institution did you engage in the teaching profession while in New York City?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. After due consideration, Mr. Tavenner, and despite my deep personal resentment at this question as a teacher as well as a citizen, since I believe this constitutes an invasion of the field of teaching, I am very proud of the associations I have had in an institution of higher learning in New York City, where I taught at Columbia University.

Mr. TAVENNER. When did you teach at Columbia University?

Mr. ROBISON. I taught at Columbia during the academic year 1936-37, and prior to that I had been a teaching assistant in 1934.

Mr. TAVENNER. And did you teach in any other schools in New York City besides Columbia University?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Mr. Tavenner, in response to your question, the only place where I was employed as a teacher, to the best of my recollection, was at Columbia University.

Mr. TAVENNER. Where did you teach in New York City besides Columbia University, regardless of whether you were employed to teach or not employed?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Mr. Tavenner, I am sorry. I have very great difficulty in trying to find an answer to that question, because the concept of teaching is so broad that I don't know where to begin, where to apply it and leave off. I teach my children and neighbors—

Mr. TAVENNER. Certainly, certainly, certainly. You understand I am not asking about the giving of private instructions to children in your family.

Mr. ROBISON. Well, I didn't know.

Mr. TAVENNER. You didn't know?

Mr. ROBISON. No. What specifically do you mean?

Mr. TAVENNER. I asked you where you taught, in what institutions you taught or schools in which you taught, whether for money or other compensation or not, and by "institutions" I am not speaking of the institution of the family, but I mean a school, an organized school.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. I think you would make it a great deal easier to reply, Mr. Tavenner, if you would ask me a direct question and name specifically any area that you would like information about, because I find this question, as it is phrased now, impossible to answer. I don't know where to begin to examine it.

Mr. SCHERER. And how many degrees did you say that you received from universities, and still you can't understand that question?

Mr. ROBISON. That isn't even worthy of an answer.

Mr. JACKSON. Order in the hearing room.

Mr. TAVENNER. It is a very simple question. In what schools did you teach in New York City?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Is Mr. Scherer's question pending or is it withdrawn?

Mr. SCHERER. Go ahead and answer it.

Mr. ROBISON. May I have the question again, please?

Mr. SCHERER. I asked how many degrees you had and still are not able to answer that simple question.

Mr. ROBINSON. That question, sir, is no more simple than the question that was simple-minded in the asking of it.

Mr. SCHERER. Thank you.

Mr. WALTER. Maybe I could help you out. Where did you teach communism in New York?

Mr. JACKSON. Order in the hearing room.

Mr. WALTER. That is a very simple question.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Is that the question, Mr. Chairman, the question of Congressman Walter?

Mr. WALTER. Yes; that is the question.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Just for clarification, Mr. Chairman, is the previous question by Mr. Tavenner withdrawn in light of Congressman Walter's question?

Mr. WALTER. I will withdraw my question so that Mr. Tavenner can ask it after he builds up to it.

Mr. ROBISON. I see.

Mr. WALTER. Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you answer my question, please?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. I asked before, Mr. Tavenner, for a clarification of the question, for specific questions as to what you would like to address yourself to.

Mr. TAVENNER. I will repeat it again. It is a very simple question. In what schools have you taught in New York City other than Columbia University, regardless of whether you received compensation for your services or not?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Mr. Tavenner, in view of the question by Congressman Walter, which he withdrew, would you state specifically or give me a specific area which I think will facilitate the answer?

Mr. TAVENNER. I asked a very definite and specific question. I cannot make it any more direct than that.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Name what schools, sir, as a matter of fact, and I am speaking, sir, with the authority of years of teaching and two degrees, that what constitutes a school is a question which is open to a great deal of discussion, so that the question is not a specific one, and I am sure that any educator would find it is not a specific one. It is a general question.

Mr. TAVENNER. Will you state what schools, according to your interpretation, you have taught in in the city of New York?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. In my interpretation, sir, I have answered that question in response to a previous question.

Mr. TAVENNER. You mean you have taught in no schools other than Columbia University in New York City?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Mr. Tavenner, if there is an area in which you are investigating, I wish you would name it specifically. If you have something in mind, what specific schools are they? I have responded to your question, sir, and I feel that in order to pursue this, if you will specifically state what schools you have in mind.

Mr. TAVENNER. Mr. Chairman, I ask the witness be directed to answer the question.

Mr. JACKSON. The witness is directed to answer.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Mr. Chairman, in the light of Congressman Walter's question, I would like to inquire, Is counsel trying to entrap me into an area about which he will not disclose to me? I think I am entitled to know the direction of the questioning and specifically what areas he is interested in.

Mr. JACKSON. I am not personally aware of what groundwork counsel is laying or what the future questions will be. Obviously, he has his reasons for asking the questions or else they would not be asked.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Well, I think as a witness I am entitled to know the reasons for a line of questioning. I am not attempting to tell Mr. Tavenner what questions to ask me, but certainly the line of reasoning and particularly in view of Congressman Walter's question before, I think that clarity could be given to the questions.

Mr. WALTER. Maybe I could clarify it by telling you that I didn't have the faintest idea of the questions Mr. Tavenner was going to ask you. I knew nothing about your appearance here this afternoon. I have heard nothing about you. But it was so apparent to me from the evasive way in which you are answering the questions, that you had something to conceal that I asked that question. It was only your own demeanor that caused me to ask that question.

Mr. JACKSON. In the meanwhile, that question has been withdrawn. There is a question pending by counsel and direction has been given to the witness to answer it.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Mr. Chairman, in view of the refusal of counsel for the committee to reveal the nature of the question and in view also of the insulting remarks of Congressman Walter, I cannot even answer here. I decline to answer this question and I shall do so for the following grounds. I have five in all and I should like to be able to present them as briefly as I can.

Mr. JACKSON. First of all, you decline to answer the question. Let us get this straight before we begin today on any 5 or 6 points. What we want to know is whether or not you decline to answer the question.

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. Mr. Chairman, in answer to your question as an American, I must, I do and I am compelled to decline to answer this question or to assist this committee in this invasion of the educational field and to destroy aspects of the cultural heritage of this country, which I believe this question and other questions which came before are designed to effect.

I do decline to answer that question for five reasons, which I will now give you.

Mr. JACKSON. Very well.

Mr. ROBISON. In the first place, I feel that the question is an invasion of my entire professional existence as a writer.

It is an invasion of the realm of ideas.

The existence, the meaning and the identity of a writer depends upon the communication of ideas, and to invade that area is to invade not only the rights of communication, the rights of assembly and the rights of teaching, but the very existence, my very existence as a writer.

I decline to answer on that ground in the first instance, and in the second instance, as an extension of this, the ideas of a writer and also of a teacher by the property of that teacher or writer.

This is acknowledged in a phrase commonly used in the entertainment industry concerning writing as property. My ideas, which are the substance of my existence as a writer, are mine and neither this committee nor any committee has a right to attempt to search or seize those ideas.

Mr. SCHERER. I know we wouldn't want them. I will tell you that.

Mr. ROBISON. May I be allowed to continue without interruption.

Mr. Chairman?

Mr. JACKSON. Continue.

Mr. CLARDY. Try to get down to stating your constitutional reasons.

Mr. ROBISON. I am, sir; I am.

Mr. CLARDY. Not yet.

Mr. ROBISON. I am.

Mr. JACKSON. You haven't gotten to a constitutional ground yet. These are all personal ideas as to what constitutes freedom of speech and thought, and while we are content to listen to the witness go on within reason, it is to be hoped he will get to the constitutional reasons for declining to answer, as quickly as possible.

Mr. CLARDY. And, remember, we are only interested in discovering where you have taught, and not your ideas or any property you may own.

Mr. JACKSON. The witness will proceed.

Mr. ROBISON. My third reason is that an atmosphere of a trial has been created here, and ex parte proceeding, which I might add was emphasized by a reference to the chairman as "Your Honor," which I find to be no accident. And I believe that the atmosphere here, as I said, is one of trial and I am being tried and I don't believe this committee has a right to do any such thing.

My fourth ground is based on a concept, a legal concept and is a legal reason which is older than this committee, older than the Bill of Rights, sir, older than the Constitution, and was one of the basic legal concepts upon which this country was founded. In the year 1670, William Penn, one of the forefathers of this country was placed in trial in Old Bailey in England. His codefendant was William Meade.

When asked the question, he responded with regard to a question referring to himself, "Nemo tenetur accusare seipsum," that no one can be made to testify against himself.

This basic concept, which is as old as the Magna Carta and the foundation of law in this country, I proudly cite, not only as a privilege for myself, but as a duty as a citizen, and I would add as a grandson of a Congressional Medal of Honor holder who got that medal for defending that Constitution, that Bill of Rights, which that amendment is a part of.

In the last instance I will give very briefly, and that is that I don't believe, according to the Constitution, sir, that this committee has the right to invade those rights which belong to the people and the right of teaching, a communication of ideas is not only prescribed by the Bill of Rights but remains with the people of this country, sir.

Those are my reasons for declining to answer the question.

Mr. JACKSON. Very well. Continue, Mr. Counsel.

Mr. TAVENNER. You stated that you also taught at Nashville, Tenn. Mr. Robison, over what period of time did you teach at Nashville, Tenn.?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Was the question over what period? Might I ask specifically the last question—

Mr. TAVENNER. The question was, how long did you teach at Nashville, Tenn.?

Mr. ROBISON. I see.

Mr. TAVENNER. And during what year or years?

Mr. ROBISON. From 19—let me see, now—from the academic year beginning September 1937 through June of 1942.

Mr. TAVENNER. At what school or schools did you teach while in Nashville, Tenn.?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. You said school or schools. Is that what you mean?

Mr. TAVENNER. Yes.

Mr. ROBISON. Which part of that do you mean?

Mr. TAVENNER. What is that?

Mr. ROBISON. Do you mean one part or the other?

Mr. TAVENNER. I mean at what school or schools; if more than one, state what they were.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. During that entire period, Mr. Tavenner, I was employed at Fisk University.

Mr. TAVENNER. Fisk University. Did you teach at any other schools or lecture at any other schools besides Fisk, during the period of time that you were employed by Fisk University?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. ROBISON. This is the same kind of a question, Mr. Tavenner, you asked before, and to which I have the same question in my own mind as to the proper way to answer this. Specifically what—

Mr. TAVENNER. Let me break that question into two parts.

Mr. SCHERER. Make it real simple.

Mr. ROBISON. Mr. Chairman, may I ask that the Congressman refrain from personal offensive remarks, which are thoroughly un-

called for in what I believe is a legislative hearing? I am trying to frame my answers as best I can.

Mr. JACKSON. Let me say to the witness: After having sat here over the period of an entire week listening to remarks much more offensive, it is not any great wonder the patience of the committee members is sorely tried at times. I am sure we are all making an effort to be fair and concise.

Mr. ROBISON. I am glad you agree, sir, that the remark of the Congressman was offensive.

Mr. CLARDY. He did not.

Mr. JACKSON. I made no such statement.

Mr. CLARDY. But I find yours extremely offensive.

Mr. TAVENNER. Will you state to the committee where you taught besides Fisk University?

(At this point Mr. Robison conferred with Mr. Esterman.)

Mr. TAVENNER (continuing). During the time you were employed by Fisk University, in any place.

Mr. ROBISON. Again, Mr. Tavenner, this is the same question you asked before, and it brings up the whole concept of teaching. I don't want to be repetitious. I am trying not to be. If you will be specific, if there is a secret or something you wish to present, I wish you would ask me a specific question and I will try my best to answer it.

Mr. TAVENNER. I have asked you a very specific question. Did you teach any place besides Fisk University when you were at Nashville, Tenn.?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Would you please, sir—evidently, I am sure you do have something in mind, because I am sure the question is not frivolous on the part of counsel. Excuse me one moment.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. WALTER. Now, Mr. Chairman—

Mr. ROBISON. I wonder if you—

Mr. WALTER. Just a minute. Mr. Chairman, it is perfectly apparent to me we are not going to be assisted by this witness. Why should we waste any more time with this sort of an action?

Mr. Counsel, is there anything that you—

Mr. ROBISON. Do I take it, sir, that the question is withdrawn?

Mr. WALTER. I would like to ask one question—

Mr. ROBISON. Do I understand that the question is withdrawn?

Mr. JACKSON. There is a question pending. It has not been withdrawn.

Mr. WALTER. Will you withdraw that question, Mr. Counsel, and let me wind this up?

Mr. TAVENNER. Yes, I will withdraw the question.

Mr. WALTER. Have you withdrawn the question?

Mr. TAVENNER. Yes.

Mr. WALTER. Are you now or have you ever been a member of the Communist Party?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Mr. Tavenner, for the—with the same preface which I gave before concerning my personal attitudes toward a question of

this kind and the same background of compulsion as an American, to declining to answer this question, I do so decline for the following reasons, which I would like to give to this committee——

Mr. DOYLE. Are those the same 5 reasons?

Mr. ROBISON. They are my reasons, Mr. Doyle.

Mr. DOYLE. May I ask, are they the same five reasons you have just repeated? If they were, couldn't we stipulate that the same five reasons——

Mr. ROBISON. I will not so stipulate, Mr. Doyle.

Mr. DOYLE. In other words, you want to take your own time and the time of the committee——

Mr. ROBISON. May I say something here about the question of time? I really feel this is out of place. I am here in the witness chair and I feel a matter of time and oppressing me is entirely out of place. I have sat here since Monday, since a week ago today, and I have heard witnesses on this chair consume an entire day. I have no desire to be any longer than necessary.

Mr. DOYLE. We wouldn't think of hurrying you along for the world. Take your time and everyone else's time. We wouldn't think of having you hurry, sir.

Mr. ROBISON. Thank you very much, Congressman.

Mr. JACKSON. I would like to say the witnesses who have consumed time before the committee have been witnesses who have been prepared to come before the committee and assist it.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. JACKSON. I would like to say before you begin, sir, it had been hoped that the committee would be able to conclude its witnesses before 4 o'clock this afternoon. However, there are several witnesses to be heard, and if too much time is consumed it will doubtless be necessary for us to run over the prescribed time, Mr. Counsel, so you can plan your work accordingly.

Mr. ROBISON. If counsel will withdraw the question, or the Congressman will withdraw the question, it will facilitate matters a great deal.

Mr. WALTER. Yes, it would, and save you a lot of embarrassment.

Mr. ROBISON. I am not the least embarrassed.

Mr. WALTER. I will not withdraw the question.

Mr. JACKSON. The question will stand. The question has not been withdrawn. The witness has declined to answer?

Mr. ROBISON. I decline and I would like to give my legal rights.

Mr. JACKSON. Set forth your reasons.

Mr. ROBISON. Again, as a writer, this is a question of association; this is a question involving an enormous area of thought, and which is an impairment of the free invasion and free learning in every area which is a basic part of a writer and a teacher's equipment.

In the second place, this is again a very important realm of ideas.

Mr. JACKSON. Go ahead.

Mr. ROBISON. Since the Congressman came 3,000 miles here, I assumed they would be interested in hearing the answers of witnesses before this committee.

Mr. JACKSON. The committee has heard your answers and heard answers of hundreds of other witnesses that have been the same as yours.



Mr. DOYLE. We have heard—

Mr. ROBISON. I find it extremely rude of a Congressman, but I will continue and you may conduct yourselves according to the manner in which you are accustomed.

Mr. JACKSON. We have some important business to transact, business which is far more important than to listen to what you have already said.

Mr. ROBISON. I have important business to transact, too.

Mr. JACKSON. Will you proceed?

Mr. ROBISON. Although, if you will excuse me, if it takes me some time—it takes me some time to compose myself.

Mr. JACKSON. We will excuse you from the stand in 30 seconds.

Mr. ROBISON. I haven't finished my answer.

Mr. JACKSON. You have declined to answer.

Mr. ROBISON. Is the question withdrawn?

Mr. JACKSON. You have declined to answer.

Mr. ROBISON. Is the question withdrawn?

Mr. JACKSON. It has been asked and you have declined to answer.

Mr. ROBISON. The invasion of the question of ideas of association, which again is a basic part of my identity professionally as a human being, as an American, as a descendant of an American, is an invasion of the rights, of my rights as an American under the Constitution of this country, and I invoke that privilege.

I further invoke the privilege, which is, as I said before, a duty, in the words, again, of the father of this country, of Tom Paine, that a privilege is not only a privilege, it is also a duty, and protecting a privilege is a duty to others who have the same privilege.

It is with that sense that I invoke a hallowed, a sacred and a fundamental concept of a democratic society, and that is that no witness can be compelled to testify against himself.

And for your information, sir, since you wish to have numbers, and although this is the first time in history, I believe, an attempt has been made to make a dirty word out of a number, that is, the fifth amendment to the Constitution of the United States; I decline on those grounds.

Mr. WALTER. You mean to say that you are making a dirty word out of the fifth amendment?

Mr. ROBISON. No, sir. I believe the attempt has been made here—

Mr. WALTER. By a great many other people.

Mr. ROBISON. No, sir, but by this committee. It is violative of all of the restrictions that have been put upon Government and invades this great privilege of the American people, and not only the American people but one which is grounded in the traditions of this country.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Clardy.

Mr. CLARDY. I have no questions.

Mr. JACKSON. Mr. Walter.

Mr. WALTER. No questions.

Mr. JACKSON. Mr. Doyle?

Mr. Scherer?

Mr. Frazier?

Mr. FRAZIER. Wait a minute. I have a question, please.

You taught for 3 years at Fisk University, is that right?

Mr. ROBISON. I believe it was more than that, Mr. Congressman. I think I said 5 years.

Mr. FRAZIER. Five years. What did you teach there?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Well, again, I am reluctant to answer, because I consider this invasion, but what I taught in the classroom, Mr. Frazier, I taught music history, the history of music, which is derived from and directly related to the entire development of society, sir, so that I have familiarity with a great many aspects of the development of some of these traditions, of how we came by them, how they came into being, and in fact I am very jealous of their meaning and of their significance. We didn't come by them easily, sir, and I hope that we won't lose them easily.

Mr. FRAZIER. Did you teach at Vanderbilt University or Peabody College or any other of the colleges located there, except Fisk University?

Mr. ROBISON. I find these questions relating to my teaching experience very difficult, sir, both on an ethical ground and also for the great respect and love that I have for the teaching profession as well as—

Mr. FRAZIER. Well, I simply asked you whether you taught at any other university located at Nashville. It is not a big place, and you would certainly know.

Mr. ROBISON. It is a big place if you get lost in it, sir. What is the legislative purpose of this question? I answered that I was employed at Fisk University.

Mr. FRAZIER. I am asking if you taught at any other university at that time.

Mr. ROBISON. Taught at or employed by?

Mr. FRAZIER. Taught.

Mr. ROBISON. To my recollection, no, I did not. I don't know. I may have given lectures occasionally at Peabody and Vanderbilt University, which are the specific institutions that you asked about, sir.

Mr. FRAZIER. Did you come direct from Nashville to Los Angeles when you came out here in 1942?

Mr. ROBISON. I drove out in a 1941 Buick, which I still have.

Mr. FRAZIER. Coming direct from Nashville to Los Angeles?

Mr. ROBISON. I have forgotten. I may have gone via—

Mr. FRAZIER. I didn't mean to ask you where you went by, but I mean you came from Nashville out here?

Mr. ROBISON. Yes, sir.

Mr. FRAZIER. Now, as a matter of fact, as soon as it was learned of your communistic tendencies at Fisk University, you were discharged by the president of that institution, weren't you?

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

Mr. ROBISON. Can you really represent that as a fact, sir?

Mr. FRAZIER. That is my understanding of the fact to be that you were discharged by the president of that university.

Mr. ROBISON. Have I ever—

Mr. FRAZIER. For communistic teachings.

(At this point Mr. Robison conferred with Mr. Esterman and Mr. Marshall.)

MR. ROBISON. Mr. Congressman, I am returning to my previous question, or to the one preceding this question. In view of the way that you have framed this question, I shall decline to answer that question for all of the previously stated grounds, and I will repeat them if you wish. I don't think you do at this point.

MR. FRAZIER. That is satisfactory. That is all.

MR. ROBISON. It is understood that would include, of course, all of the constitutional privileges, including the first, fourth, and fifth amendments to the Constitution.

MR. JACKSON. It is understood that all the constitutional provisions have been invoked.

Any more questions?

MR. TAVENNER. I have no questions.

MR. JACKSON. Is there any reason why the witness should not be excused?

MR. TAVENNER. No, sir.

MR. JACKSON. The witness is excused.

Mr. Tavenner, who is your next witness?

MR. TAVENNER. Libby Burke.

MR. JACKSON. Do you solemnly swear the testimony that you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

MISS BURKE. I do.

MR. JACKSON. Proceed, Mr. Counsel.

# **TESTIMONY OF LIBBY BURKE, ACCOMPANIED BY HER COUNSEL, WILLIAM B. ESTERMAN AND DANIEL G. MARSHALL**

MR. TAVENNER. What is your name, please?

MISS BURKE. My name is Libby Burke.

MR. TAVENNER. Where were you born, Miss Burke?

MISS BURKE. Before I answer that question, may I ask that I be given the privilege of making a statement to the committee?

MR. JACKSON. You may submit a written statement to the committee, which will be considered by the whole committee.

MISS BURKE. May I ask the same privilege for my attorney?

MR. JACKSON. Your attorney under the rules of the committee, as he well knows, is not permitted to address an argument or statement to the committee.

MR. TAVENNER. Are you accompanied by counsel, Miss Burke?

MISS BURKE. Yes, I am.

MR. TAVENNER. Will counsel please identify themselves for the record?

MR. ESTERMAN. William B. Esterman.

MR. MARSHALL. Daniel G. Marshall.

MISS BURKE. May I make one further inquiry? May my attorneys have the privilege of questioning and cross-examining any individual or individuals whom they say have given testimony before this committee about me?

MR. JACKSON. No; your counsel is not permitted under the rules of the committee to cross-examine them. You will have every oppor-

tunity to deny any evidence which may have been given against you.

Miss BURKE. My last question, may we have a copy of the rules, of the specific rules under which the committee functions?

Mr. JACKSON. No; you may not at this time.

Miss BURKE. Are they written or are they arrived at—

Mr. JACKSON. They are the rules of the House of Representatives and the rules of standing committees of the House.

Mr. TAVENNER. Now will you please state the place of your birth?

Mr. JACKSON. May I interrupt, please? A copy of the rules of the House and the rules of the standing committees may be obtained from the Clerk of the House of Representatives, and that will give you complete information on the rules.

Mr. WALTER. I think your attorney has a copy.

Mr. ESTERMAN. Not the rule she is talking about, no, Mr. Congressman.

Mr. WALTER. The rules of the House.

Mr. ESTERMAN. I mean about no cross-examination. I have not seen that rule.

Mr. TAVENNER. Will you please state the place of your birth?

Miss BURKE. New Jersey.

Mr. TAVENNER. Yes?

Miss BURKE. Newark, N. J.

Mr. TAVENNER. What is your occupation?

Miss BURKE. I trained as a professional dancer.

Mr. TAVENNER. Will you state to the committee, please, what your formal educational training has been?

Miss BURKE. I did 3 years' work at the University of California, at Berkeley, after finishing grade school and high school.

Mr. TAVENNER. I am sorry, I didn't hear.

Mr. CLARDY. I didn't hear the answer, either. Will you repeat the answer, Miss Witness? We couldn't hear it.

Miss BURKE. I did 3 years' work at the University of California in Berkeley, Calif.

Mr. TAVENNER. When did you complete that work?

Miss BURKE. I left in about February of 1946.

(Representative Jackson reentered the hearing room at this point, 3:10 p. m.)

Mr. TAVENNER. When did you begin your work at Berkeley?

Miss BURKE. Enrolled in the fall semester in 1942.

Mr. TAVENNER. Had you lived in Berkeley prior to beginning your studies there?

Miss BURKE. No. I moved there for the express purpose of going to the university.

Mr. TAVENNER. Where had you lived prior to going to Berkeley?

Miss BURKE. In San Francisco, Calif.

Mr. TAVENNER. How long had you lived in San Francisco?

Miss BURKE. From 1937 until I enrolled at the university.

Mr. TAVENNER. Where did you live when residing in San Francisco?

Miss BURKE. You mean—Will you please repeat the question? When I lived in San Francisco?

Mr. TAVENNER. Yes. What was your address while living in San Francisco?

Miss BURKE. Now, I counted one time and I found I lived in about 20 different places.

Mr. TAVENNER. What was the last place of residence while living in San Francisco and prior to your going to Berkeley?

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Miss BURKE. I am sorry. I hope you won't accuse me of being evasive, but I just don't remember. It was a long time ago.

Mr. TAVENNER. When you moved to Berkeley where did you live?

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Mr. SCHERER. Does Mr. Esterman know where she lived?

Miss BURKE. If you remember at that time housing was rather critical and I had a number of different living arrangements with people, so I moved around quite a bit. I didn't live in as many places as I did in San Francisco, but do you have any particular place in mind?

Mr. TAVENNER. I just wanted to know where you lived while in Berkeley.

Miss BURKE. Well, I lived in a number of places.

Mr. TAVENNER. Will you tell us where?

Miss BURKE. May I ask you this: I don't want to get into a wrangle that the previous witness did with you. Are you asking about a place that perhaps has been mentioned in the testimony before this committee?

Mr. TAVENNER. I am asking you to state to the committee where you lived while residing at Berkeley. That is a very simple question.

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Miss BURKE. Well, since you seem to be playing a game and since you have not been willing to make clear the intention and the motive of your question, and since there appears to be something of a sinister nature that you apparently have reference to, I am going to have to decline to answer your questions, and I would like to state my reasons, if I may.

Mr. JACKSON. You do decline to answer the question?

Miss BURKE. I do decline to answer the question; yes.

Mr. JACKSON. Very well.

Miss BURKE. I was interested in Mr. Doyle's statement the other day when he said that he had made an inquiry of the Library of Congress asking for a definition of the term "un-American," and while it seems this comes rather late in these proceedings, because your committee has existed for about 15 years, when I received my subpoena, and this is no small thing to happen to a person—it is sort of like a man when he gets—

Mr. TAVENNER. May I ask the witness be directed to answer the question? What she is stating now is not responsive to the question.

Miss BURKE. I said I would give my reasons, and these are my reasons.

Mr. JACKSON. My understanding is that the witness declined to answer the question. However, I cannot conceive by any stretch of the imagination that her present statement is in any way responsive to or bears upon her reasons to refuse to testify.

Miss BURKE. It appears to me if I were important enough to be subpoenaed before this committee at great cost to myself, and this in-

formation has been made available to every newspaper in this country, my picture has appeared across the newspapers all over this country; this has hit me very hard, and I have been tried and indicted and punished before everyone in this room, and if I seem to be enraged, I am enraged.

MR. JACKSON. I must ask the witness to confine herself to giving her constitutional reasons.

I might add to that if you want your pictures in the papers again, you need only to say so, and you need only to state that you are not now nor have you ever been a member of the Communist Party.

MISS BURKE. I am not interested in your bribery on that count.

MR. CLARDY. I move that remark be stricken from the record.

MR. JACKSON. No, to the contrary, I want it in the record.

MR. CLARDY. That should not be in the record.

MISS BURKE. I was fired from a job before I ever stepped foot into this room.

MR. JACKSON. Just a moment. Let us have order.

MR. CLARDY. Mr. Chairman, if I may—

MR. JACKSON. Mr. Clardy.

MR. CLARDY. I ask it to be stricken because it is obviously a contemptuous insult directed at every member of the committee, and I resent it.

MR. DOYLE. Mr. Clardy, I think it is good for the United States Congress to read that kind of contemptuous remark by these witnesses.

MR. CLARDY. I think this record is so chock full of it Congressman, that we have had enough. My patience is about exhausted. The limit of my patience has been passed.

MR. JACKSON. There is an objection to striking it from the record. Proceed, please.

MISS BURKE. May I proceed, please? Before coming here I tried to decide for myself what one could say is American and what is un-American because this is a very important question which people have to answer for themselves.

I know at one time human slavery in this country was considered the American way of life.

MR. CLARDY. I move that this all be stricken.

MR. JACKSON. Just a moment. The witness will suspend. The witness has declined to answer the question.

MISS BURKE. I have not finished my answer. I have only begun my answer.

MR. JACKSON. These are reasons why she is declining to answer the question, but the declination has already been entered in the record. I believe that is correct.

MISS BURKE. I have not finished.

MR. JACKSON. Very well, proceed.

MISS BURKE. Less than 30 years ago women didn't have the right to vote, and that was considered American, but it no longer is. At one time children could work for 16 and 20 hours a day. That was American. It no longer is. At one time you could be paid anything that you wanted to by an employer but now we have a minimum wage. So you see the concept of what is American and what is un-American has changed with the years; and we can say in general the development of this country has been for things that are good for people.

You might state "progressive," if you will forgive me the use of that word. And it was important for me to understand what was American and what was un-American, because I was going to speak to a committee that says it is investigating un-American activities, and I have to search my own mind to know whether what I believe and what I do and have done and will continue to do is American or is not American.

It is my understanding that the most precious right that anybody has is the right to work.

Mr. SCHERER. What has that got to do with the question as to where she lives?

Miss BURKE. Everything in the world.

Mr. JACKSON. Actually, I don't see that it relates to the question at all as to where she lives.

Miss BURKE. It has the utmost relationship.

Mr. JACKSON. But inasmuch as the committee is accused of limiting freedom of speech and everything else, and if this will speed up the hearing and permit us to get out of here before 6 o'clock, let us go ahead.

Miss BURKE. Thank you very much, Mr. Chairman.

It is my understanding and my feeling that the right to work is perhaps the most important and most precious right that we have. And I have been denied the right to work. I have been trained many years to be a professional dancer, and when my Congress served a subpoena on me and saw fit to release this information to the newspapers before I stepped foot into this room, it meant that they had not only accused me but tried me—they had punished me even before they knew what I was going to say.

(Representative Morgan M. Moulder reentered the hearing room at this point, 3:20 p. m.)

Miss BURKE. The fact that a committee of this kind serves a subpoena means a blacklist against you, and I am enraged and I think that is un-American. You might at least have waited until I appeared here and showed that I was not in sympathy with the objectives of this committee, which I am not.

Mr. SCHERER. Are you a member of the Communist Party?

Miss BURKE. Am I being rushed through this? I would like to continue this. It seems to me there are two questions pending. Is the previous question withdrawn, because I have not finished?

Mr. JACKSON. Your declination to answer was to the question of where you lived in Berkeley. You have declined to answer that question and now you are in the middle of your reasons. You may go ahead with them.

Mr. CLARDY. I hope it is beyond the middle.

Miss BURKE. My next reason—and I am not saying this because I am a woman and feel I am talking too long, because most of the long speeches that have been made here were made by men—

Mr. WALTER. Then you didn't hear the elderly lady the other day, did you?

Miss BURKE. Well, she was reading names and she was not giving what you call voluntary information.

This is my further reason for declining: That the associations that people have, and by that I mean the individuals that you know, or

the organizations that you belong to, are not an area in which our Federal Government has the right to intervene.

Now, this is particularly important to me because 4 days—I may be wrong one way or the other, but within the matter of days after I had spoken on the floor of my union, I was served with a subpoena. I am referring to last fall.

And the lesson here was very clear to the people, I know to the other dancers in the union.

I spoke on the contract as it affects dancers in films, and the lesson to them was, you may not get up on the floor of your union and speak honestly because if you do you will be subpoenaed, and I consider this a very serious undermining of the free functioning of members of a trade union.

Mr. MOULDER. Can you give us a specific case of where that occurred?

Miss BURKE. To me. I just told you it occurred to me. I have worked in films for 2 years and within a matter of a few days after I spoke on the floor of my union I was subpoenaed by this committee. I did not work 1 more day in films. This is too much of a coincidence to say it is a coincidence.

Mr. WALTER. That is a very serious thing. When was it you spoke? Can you give me that date?

Miss BURKE. It is understood I have not finished.

Mr. WALTER. I understand that, but what was the date?

Miss BURKE. The meeting was the end of August.

Mr. WALTER. Do you know the date?

Miss BURKE. Twenty something.

Mr. WALTER. The 20th?

Miss BURKE. About the 20th, perhaps a little bit later, and I was served with my subpoena the first week of September. From that day on I didn't do 1 day's work in pictures.

Mr. WALTER. Have you got the subpoena, Mr. Wheeler, that was served on this young lady?

Miss BURKE. The first time.

Mr. WALTER. Go ahead.

Miss BURKE. There were two. I meant the first one.

Mr. WALTER. Go ahead.

Mr. TAVENNER. I do not think it has been returned from the marshal's office.

Mr. CLARDY. It was not served by the committee's investigator but by the United States marshal?

Mr. TAVENNER. That is right.

Miss BURKE. It was issued by Chairman Wood. I may still have it.

Mr. MOULDER. When was it issued?

Mr. WHEELER. I will have to get a copy of it.

Miss BURKE. I was served around the 4th or 5th of September, and the meeting was late in August.

Mr. JACKSON. Continue with your statement, please.

Mr. WALTER. I am very much interested in this because you have made a serious charge and I am going to ascertain whether or not the subpoena was issued before you spoke, and I am sure that it was.

Miss BURKE. I am not sure it was.

Mr. WALTER. I shall find out.

Miss BURKE. In fact, I believe the contrary is true.

Mr. WALTER. All right, I will let you know.



Miss BURKE. It is my understanding further that the people of this country have the right to petition for redress of grievances, and one way that people do that is by associating themselves with others for things that they feel are wrong—the laws that they feel are wrong, and for making clear to their representatives in Congress what they would like to do since they are supposed to be our servants.

And if you publish a list of organizations—it is now over 800, which must take in a tremendous number of people and must cover a wide area of thought, this means that people will be frightened away from actually expressing this right to petition for redress of grievances, because we have all learned that the only way you can do things effectively is why this trade union exists. You cannot do it alone. You must do it with other people and you are saying you may not do this unless “we approve of your reasons for getting together; we approve of the objectives of the organization that you are joining,” and I say you have no right to do that.

On this same general point, and I guess you know I am referring to the first amendment, I understand that there is no exception made so far as how these specific freedoms may be expressed. It doesn't say you may do this and you may not do that.

Further, I understand that there may be no unreasonable search and seizure; that we are secure in our rights of property and person, and yet when you call me here and you want to know how I think and whom I know and where I have been and to what organization I may belong, you are invading the privacy, the right to privacy that I have in my person.

And the spectacle we saw the other day of private business transactions which were invaded, the right to secrecy of one's private correspondence, one's bank accounts, and also to associates seems to me there are many people out there who should have been frightened to see how far this encroachment has gone, and I think this is a violation, clearly, of the fourth amendment.

Mr. CLARDY. Has she been asked questions on all of those subjects?

Mr. WALTER. Let her go.

Miss BURKE. It is very difficult to continue——

Mr. JACKSON. The question dealt with where the lady lives, and she is still in the process of giving her reasons for refusing to answer that question.

Mr. SCHERER. Where she lives?

Mr. WALTER. That is right.

Mr. CLARDY. I trust counsel has other questions.

Miss BURKE. Further, I understand that except for the rights that are expressly granted to our Federal Government, and it took many years before the powers of the Federal Government were clearly defined, the rights of our Federal Government, unless expressly given, are left with the people, and I say you have no right to do——

Mr. TAVENNER. This is nothing more than a speech that is being made about the powers of government, and so on. It has nothing to do with her refusal to answer, and I think there must be some limit to this.

Mr. WALTER. What are you reading from, Miss Burke?

Miss BURKE. My own typewritten notes.

Mr. JACKSON. I think it is obvious——

Miss BURKE. Also, of course, I have the Bill of Rights here and the cameraman perhaps wants it.

Mr. JACKSON. Just a moment, please, Miss Burke. It is quite obvious this is just a lengthy harangue and has nothing to do with the question.

Miss BURKE. I really haven't much further to go.

Mr. JACKSON. It has nothing to do with the subject matter of the inquiry.

Miss BURKE. I am almost through.

Mr. JACKSON. I hope you will speed it up, if you can, Miss Burke.

Miss BURKE. Thank you very much.

Mr. CLARDY. Mr. Chairman, I spent several years in law school to learn the law on this subject, and I learned it much better than I am getting it now.

Mr. JACKSON. Proceed, Miss Burke.

Miss BURKE. I will tell you why it seems important to me to say this. This is a direct quote. It is right and proper in many cases that these freedoms, freedoms guaranteed by the Constitution, should be taken away. That was said by Mr. Velde 3 years ago, in 1950, in March, on the floor of the House of Representatives as chairman of this committee, and what he says in certain cases is that our constitutional rights should not be taken away, and I think we have a lot to worry about.

Mr. JACKSON. No one aspires to take civil rights away from the people of the United States of America, but in those instances where people are guilty of joining a conspiracy to violently overthrow the Government of this country they obviously sacrifice many of their privileges.

Miss BURKE. I wouldn't feel that way if I were here accused of a crime, and, so far as I know, I have not been accused of a crime, and since I am not being accused of a crime, but because I may disagree with your thinking, which I do, you have no right to tell me that I may not think the way I want to or anybody else.

My last reason, and I hope this make you happy, and I want to give this last reason in relationship to all of the other reasons that I have given, that you may not say behind your back, "We have tried you, we have convicted you, we are punishing you," and now, "you must come here and say it is true or else." That is what you are saying to me, "Confess or else say it is true."

Well, so far as my constitutional freedoms are concerned, I say that you have not the right to make me bear witness against myself or to make me testify as to the credibility of any of your informers.

That is the fifth amendment, and I would like to say I, too, am proud of asserting the fifth amendment, because it took many, many years to have the fifth amendment added to our Constitution. It was no accident. It did not come about easily. People had to fight for the fifth amendment and I am proud to be one of those who asserts the dignity of the fifth amendment.

Thank you very much.

Mr. JACKSON. Very well. Do you have any further questions, Mr. Counsel?

Mr. TAVENNER. Did you live at Shattuck Avenue in Berkeley?  
(At this point Miss Burke conferred with Mr. Esterman.)

Miss BURKE. I think it shows that you did have something specific in mind when I asked you before if you had a specific address in mind.

My answer to this question is that I decline to answer it, and I decline for all of the reasons that I have previously given, and which Mr. Jackson was good enough to give me time to recite.

Mr. TAVENNER. Were you acquainted with Giovanni Rossi Lomanitz?

Miss BURKE. It sounds like he should be writing music or something. Just a moment, please.

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Miss BURKE. Could you identify this person?

Mr. TAVENNER. Yes.

Miss BURKE. Male or female?

Mr. TAVENNER. Dr. Lomanitz was a scientist that was a member of the group that worked in the radiation laboratories at Berkeley, Calif., during 1943, according to my recollection.

Miss BURKE. A scientist working at the laboratory in Berkeley?

Mr. TAVENNER. Yes.

Miss BURKE. At the University of California?

Mr. TAVENNER. Yes.

Miss BURKE. Have you finished the identification?

Mr. TAVENNER. What is that?

Miss BURKE. I couldn't tell if you had finished the identification.

Mr. TAVENNER. I am sorry, I didn't understand you.

Miss BURKE. I couldn't tell if you had finished the identification.

Mr. TAVENNER. Yes.

Miss BURKE. Thank you.

(At this point Miss Burke conferred with Mr. Esterman.)

Miss BURKE. Has he been named before this committee? It is sort of important to know.

Mr. TAVENNER. If you desire further information regarding it—

Miss BURKE. I would appreciate that very much.

Mr. TAVENNER. He appeared as a witness before the committee and was asked the question, "Do you know Libby Burke?" And his reply was "Yes."

He was asked if he attended a meeting at your home or party at your home on Shattuck Avenue. His reply was, "I cannot remember whether I have ever attended a party at her home on Shattuck Avenue or a meeting at her home on Shattuck Avenue."

Does that help you to identify him? Does that refresh your recollection?

Miss BURKE. Can you read some more? I don't know in what context—

Mr. TAVENNER. Does that refresh your recollection to any degree?

Miss BURKE. No. The testimony, I have never seen it. Can you tell me the context of this conversation?

Mr. TAVENNER. Can I tell you some more?

Miss BURKE. I would appreciate it.

Mr. TAVENNER. Mr. Davis<sup>1</sup> testified that he was recruited into a cell of the Communist Party among the group of scientists in radiation laboratories, and he was recruited by Dr. Lomanitz. Dr.

<sup>1</sup> Robert R. Davis testified before the Committee on Un-American Activities on April 22, 1949.

Lomanitz would not answer whether he had been a member of the Communist Party or not. Does that refresh your recollection?

Miss BURKE. So I will understand what you just said, you said Dr. who, Davis, or somebody?

Mr. TAVENNER. Davis.

Miss BURKE. Had testified?

Mr. TAVENNER. Yes.

Miss BURKE. That this other person whose name I will not attempt to—

Mr. TAVENNER. Had recruited him into the Communist Party.

Miss BURKE. Well, what does this have to do with me, this last part? I don't understand.

Mr. TAVENNER. I asked you if you were acquainted with Dr. Lomanitz and you asked me to try to help to identify Dr. Lomanitz for you. I am trying to tell you what the record shows.

Miss BURKE. I thought there were further sections of the testimony which related to me and not another person. That is why I asked you to read on. Is this the total of the testimony as it is related to me?

Mr. TAVENNER. No.

Miss BURKE. I think it would be fair—

Mr. TAVENNER. Dr. Lomanitz was asked if you were a member of the Communist Party, and his answer was, "I decline to answer that question on the same ground." The ground assigned being the fifth amendment.

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Miss BURKE. Mr. Tavenner, it occurs to me that this is a very good example of the kind of testimony you have, which makes it disagreeable to you to have my attorney question people who give testimony about others. I think it would be fair that I be able to have my attorney question this person who says he knows me.

Since I have been told it is against the rules and this will not be possible, and, by the way, I understand the Mata Hari overtones of the publicity I received—I was sort of nominated by my friends as the Mata Hari of 1953. I will have to decline to answer your question, and I will give all the reasons I gave before.

Is it understood that they are all incorporated?

Mr. TAVENNER. In other words, you are assigning the same grounds you assigned before?

Miss BURKE. All the grounds previously given. Is that satisfactory?

Mr. JACKSON. That is understood, that you are standing upon all the grounds contained in your statement.

Miss BURKE. Thank you.

Mr. TAVENNER. Were any Communist Party meetings—

(At this point Miss Burke conferred with Mr. Esterman.)

Mr. TAVENNER. Held in your home at Berkeley, which were attended by members of the scientific group or by scientists from the radiation laboratories at Berkeley?

(At this point Miss Burke conferred with Mr. Esterman.)

Miss BURKE. I was wondering if I heard your question.

Mr. TAVENNER. My question was whether or not there were any Communist Party meetings held in your home—

Miss BURKE. Thank you.

Mr. TAVENNER. At which scientists from the radiation laboratory were present.

Miss BURKE. I understand your question. Well, I think, as you probably know, I consider this to be the same kind of question, so I would have to give you the same answer, that is, to decline on the grounds I gave you a few moments ago.

Mr. TAVENNER. Were you acquainted with a person by the name of Paul Crouch?

Miss BURKE. If that is the man who I believe is a professional informer, I believe he earns his living that way, according to the newspaper accounts that I have read, if it is the man whom the Alsop brothers, Washington correspondents, have said to the new Attorney General, Mr. Brownell, and I quote them:

One of the first investigations he should make, the first item on his agenda should be an investigation for informers, if he cares anything at all for American civil liberties.

I believe this man, whose name is very apt, if it is the same person, then of course I not only would not dignify any testimony he gave, but I will decline to answer on the grounds previously stated.

(At this point Miss Burke conferred with Mr. Esterman and Mr. Marshall.)

Mr. JACKSON. Obviously, the witness came prepared to meet the Paul Crouch matter if it came up.

Miss BURKE. I will tell you why his name appeared in the publicity, when my subpoena was served on me——

Mr. JACKSON. You had advance information?

Miss BURKE. I was very curious to pick up whatever information I could in the press about it. He, it seems to me, goes from trial to trial peddling his wares.

Mr. JACKSON. You knew he had identified you as a member of the Communist Party?

Miss BURKE. It was released by Mr. Wheeler, wasn't it? Mr. Wheeler released it to the press.

Mr. JACKSON. You are mistaken.

Miss BURKE. I will show you newspaper clippings which quoted Mr. Wheeler.

Mr. JACKSON. There were no releases made to the press by Mr. Wheeler.

Miss BURKE. I will show you newspaper clippings——

Mr. WALTER. About what date?

Miss BURKE. Within the last month, after I was served.

Mr. WALTER. According to this subpoena, you were served on the 24th of February. About that time?

Miss BURKE. Yes, is the fourth estate will back me up. I wish it could do me some good professionally. I don't think it will.

Mr. WALTER. I know how it could.

Miss BURKE. That kind of press release I am not going to pay for.

Mr. CLARDY. I have checked up on this to be sure, since she made the statement first that Mr. Wheeler released——

Miss BURKE. How would anyone know I had been served?

Mr. CLARDY. Never mind. I am not talking to you.

Mr. JACKSON. Counsel——

Miss BURKE. How would anybody have known I had been subpoenaed?

Mr. CLARDY. Or you released it.

Miss BURKE. I wanted to continue working. I had another week to go on my contract. I wouldn't have cut my own throat.

Mr. CLARDY. You asked how it would happen.

Mr. JACKSON. Order, please. The current program among those served with subpoenas, at least those who have no intention of answering the questions before the committee, has been to call a press conference.

Miss BURKE. How did you know? How did you know they gave out the statement?

Mr. JACKSON. I don't know that this happened in your case. That has been the current policy. I am sure our investigator did not release any news to the press. But that question is neither here nor there, so far as this interrogation is concerned.

Miss BURKE. I think you are impinging the newspapers. They would not quote a man unless he had released the information. They would not do a thing like that. I would like to bring you my clippings.

Mr. JACKSON. I have seen all the clippings I can stand for some time.

Miss BURKE. So have I.

Mr. TAVENNER. Were you a member of the Communist Party when you were living in Berkeley?

Miss BURKE. To your question, to any questions that are like it, I will give the answer I gave you a few moments ago when I declined to answer.

Mr. JACKSON. You decline to answer this question?

Miss BURKE. Yes; I do. Do I understand that all the reasons I gave before are incorporated?

Mr. JACKSON. You decline to answer for the reason previously stated.

Miss BURKE. Yes, all of them. Is that understood?

Mr. JACKSON. Yes.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Miss BURKE. Like they say, same question, same answer.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Clardy?

Miss BURKE. I am sorry to belabor that point. Is it understood for each declination all the reasons I have given are reiterated?

Mr. JACKSON. I don't know what the record shows. My understanding is that you have declined to answer all the questions you have been asked on the grounds of the 1st, 5th, 6th, 9th, and 10th amendments.

Miss BURKE. Plus the personal one.

Mr. CLARDY. That is my general recollection. There might have been some instances where she forgot to invoke it.

Miss BURKE. I think not.

Mr. CLARDY. I have no questions. It would be a useless waste of time.

Mr. WALTER. Is Burke your stage name or your given name?

Miss BURKE. My name really is Elizabeth. I was always called Lizzie. I changed it to Libby.

Mr. WALTER. Burke is your family name?

Miss BURKE. Well, just a minute. A family name? What is a family name? What do you mean, "family name"?

Mr. JACKSON. Mr. Scherer?

(At this point Miss Burke conferred with Mr. Esterman.)

Mr. SCHERER. No questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. JACKSON. Mr. Moulder?

Mr. MOULDER. No questions.

Mr. JACKSON. I have only one thing, Miss Burke, and that is your position appears to be that you are being forced to come here and say that certain things are true.

The committee would have been much better satisfied, I am sure, and all of the people of the country would have been much better satisfied, had you come here to say it was not true.

I cannot personally understand any loyal American who today, in the light of worldwide aggression, is not prepared to stand up proudly and say, "I am not a member of the Communist Party."

Miss BURKE. May I say one thing? If you and I don't look at life the same way, I grant you your privilege to believe that way. But I would like to be granted the same privilege by you.

Mr. JACKSON. You have been given every freedom of expression here today. Every effort has been made not to harass you unduly, but to ask you questions and give you an opportunity to answer them or not answer them.

Miss BURKE. I am grateful for that. I am questioning that my very presence here should have been necessary.

Mr. JACKSON. Do you have any further questions, Mr. Counsel?

Mr. TAVENNER. No.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No.

Mr. JACKSON. The witness is excused.

The committee will stand at recess until 4 o'clock.

(Short recess taken.)

Mr. JACKSON. The committee will be in order.

During the morning session reference was made to several organizations and groups which had allegedly been infiltrated, in the field of education. Some news reports issued since this morning's hearings, however, have confused to some extent the names of the organizations with legitimate campaign organizations, which were not mentioned by the Chair this morning. To keep the record clear, I am therefore stating that neither the Committee for Good Schools, supporting the incumbents, nor the Save Our Schools Committee, were charged with Communist infiltration.

It is not the intent of the committee to enter into any contest at the local level with respect to elections.

However, I believe that it is important to point out when there is evidence of an organized effort to infiltrate organizations of whatever nature. I make this statement simply as a matter of clarification.

Who is your next witness?

Mr. TAVENNER. Mr. George B. Rossini.

Mr. JACKSON. You swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth?

Mr. ROSSINI. I do.

### TESTIMONY OF GEORGE B. ROSSINI

Mr. TAVENNER. What is your name, please, sir?

Mr. ROSSINI. George B. Rossini.

Mr. TAVENNER. What is your position, Mr. Rossini?

Mr. ROSSINI. Chief criminal deputy in the United States marshal's office.

Mr. TAVENNER. Mr. Rossini, there was testimony by the last witness, Miss Libby Burke, that as a result of a speech made by her at the union hall on August 20 a subpoena for her was issued.

Mr. MOULDER. August 20, what year?

Mr. TAVENNER. That is August 20, 1952. A subpoena was issued for her appearance before this committee. I have asked you to examine your records, because the original subpoena as issued by the committee is in Washington, and we are unable to produce it at this moment.

So, as I say, I have asked you to examine your records to see whether or not you had the subpoena in your possession prior to the date on which she says it was issued.

Mr. ROSSINI. Our records show that on July 28, 1952, an assignment was made to one of our deputies to attempt to serve Miss Burke. Our second record shows that on August 19 the same deputy, August 19, 1952, the same deputy attempted to make service on Miss Burke, and our records show that on August 21, 1952, the service was made on Miss Burke.

Mr. TAVENNER. Where was that service made upon her August 21?

Mr. ROSSINI. 5503 Denny. That is what the records show.

Mr. TAVENNER. Do you know whether that was the residence of Miss Burke at that time?

Mr. ROSSINI. That I don't know, but I think it was the address that was on the subpoena when we originally received it.

Mr. TAVENNER. Your records show first that you had the subpoena in your possession on or prior to July 28, 1952?

Mr. ROSSINI. Yes, sir.

Mr. TAVENNER. Do you know how long you had that subpoena before you made an effort to serve it?

Mr. ROSSINI. No, sir; I don't. I would have to guess at that. Maybe a day or two.

Mr. TAVENNER. I have no further questions.

Just a moment, Mr. Rossini. What was the address, again, that your records show service to have been made at?

Mr. ROSSINI. 5503 Denny.

Mr. TAVENNER. Mr. Chairman, that is the same address given by the witness a few minutes ago when she signed her voucher for her attendance fee.



Mr. ROSSINI. I might say this is the first subpoena. The second subpoena was not served at that address.

Mr. CLARDY. May I inquire, Mr. Chairman, just to be sure of the actual date again, that service was finally made? I want to be sure it is clearly in here.

Mr. JACKSON. It is.

Mr. TAVENNER. The witness testified it was August 21.

Mr. CLARDY. August 21. Is my recollection correct that the witness testified that it was delivered to the witness the early part of September?

Mr. WALTER. Testified it was served on the 4th of September.

Mr. CLARDY. That is what I recall.

Mr. SCHERER. When did she say she made her appearance on the floor of the union?

Mr. TAVENNER. The 20th of August.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Thank you, sir.

#### **TESTIMONY OF NAOMI ROBESON, ACCOMPANIED BY HER COUNSEL, WILLIAM B. ESTERMAN AND DANIEL G. MARSHALL**

Mr. JACKSON. Raise your right hand. Do you solemnly swear that the testimony you are about to give, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. ROBESON. Yes.

Mr. JACKSON. Please be seated. You may proceed.

Mr. TAVENNER. What is your name, please?

Mrs. ROBESON. I just wonder if I might thank you gentlemen for waiting for me here today.

Mr. TAVENNER. That is not necessary.

Mrs. ROBESON. Well, I have a child at home with the mumps and I wanted to be sure no one got it.

Mr. TAVENNER. I understand that. That isn't necessary. What is your name, please?

Mrs. ROBESON. My name is Naomi Robeson.

Mr. TAVENNER. Are you accompanied by counsel?

Mrs. ROBESON. Yes; I am.

Mr. TAVENNER. Will counsel please identify themselves for the record.

Mr. ESTERMAN. William B. Esterman.

Mr. MARSHALL. Daniel G. Marshall.

Mr. TAVENNER. Will you state to the committee please, the place of your birth?

Mrs. ROBESON. Cleveland, Ohio.

Mr. TAVENNER. What is your occupation?

Mrs. ROBESON. I am a mother and a homemaker and once upon a time I was an actress.

Mr. TAVENNER. During what period of time were you an actress?

Mrs. ROBESON. Well, I was in Sunday-school plays when I was a little girl and school plays.

Mr. TAVENNER. I am not speaking of the time when you were a child.

Mrs. ROBESON. Well, all through my school life and college life, I think.

Mr. TAVENNER. Let me ask you this question: How long have you lived in Los Angeles?

Mrs. ROBESON. Since 1942.

Mr. TAVENNER. And have you engaged in the practice of your profession of acting since 1942?

Mrs. ROBESON. Well, on and off. My major job since I have been here has been raising my children.

Mr. TAVENNER. I am sorry, but I didn't hear you.

Mrs. ROBESON. My most important job while I have been here has been raising my children. I have acted on occasion, now and then.

I would just like to say that if, if I may, the part that was most important to me in my life, if I might, the acting part—I have done work in—

Mr. TAVENNER. Was your acting confined to the stage or was it also in the movies?

Mrs. ROBESON. On the stage and in some motion-picture work, some radio work, and some television work.

Mr. TAVENNER. What screen credits have you received in the motion-picture industry for acting?

Mrs. ROBESON. No screen credits, unfortunately.

Mr. TAVENNER. What are the major productions in which you have taken part.

Mrs. ROBESON. In motion pictures?

Mr. TAVENNER. Yes.

Mrs. ROBESON. Well, they have been bit parts, really. As I say, since I have been here, it has been so sporadic. I have been mostly at home with my children and there have been just bit parts. The part, if I may tell you about it, the stage part that I really—the part that meant the most to me, I think, the part of Manuela that I once played in, in a play called *Girls in Uniform*, and I think it was most important to me because it was the part of the destruction of a young girl in a regimented school. That was very important to me and it has been important to the rest of my children.

Mr. TAVENNER. Prior to 1942, where did you engage in acting?

Mrs. ROBESON. Well, that was mostly—well, that was more stage experience before coming out here. I was at the Cleveland Playhouse in Cleveland. I did, oh, just some little things in New York. The play was a terrible turkey, if you know what I mean.

Mr. WALTER. Was that the Sunday-school play?

Mr. TAVENNER. Mrs. Robeson, Mr. Owen Vinson appeared as a witness before this committee and testified that he had been a member of the radio group of the Communist Party—that is a group of Communist Party members within the radio field, and that for a period of time he was the treasurer of that group and collected the dues from various individuals.

He also testified that the amount that he collected sometimes amounted to \$500 or \$600 a month. He was asked the question as to what he did with the money and stated that he turned it over to you.

Now, was that true or was it false?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. I wonder, Mr. Tavenner, if my able counsel could cross-examine this gentleman—I don't know if I should call him a gentleman or not.

Mr. JACKSON. No; I am sorry. The rules of the committee have been well known to counsel for a long time, I am sure, in spite of the recurring questions which I am also sure are simply for the purpose of making a record.

However, for the 10th time, the rules of the committee do not permit your counsel to cross-examine the witnesses.

Mrs. ROBESON. Excuse me.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. MOULDER. Before answering that question, I would like to ask you, How do you think it would assist you in giving the answers or declining to answer, which you are about to do, to have your attorneys have the privilege of cross-examining this witness you have named?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. I suppose this whole matter is a legal matter which I would have to refer to my attorneys.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. And they assure me—perhaps if this is the beginning of a new procedure to be established by this committee, I think I would have to ask my lawyers to speak to you personally about it. These are legal matters, you know, and I am a mother and former actress and not a lawyer. If you would like my lawyers to speak to you about it now, fine.

Mr. JACKSON. Not at all.

Mr. WALTER. That is a pleasure we will have to forego this afternoon.

Mr. JACKSON. May the Chair say that your counsel are certainly aware of the rules of the committee, aware that the rules of this committee, like the rules of the other standing committees and the House of Representatives itself, do not permit cross-examination of witnesses; and further, to forestall what I imagine will be another request, if you have a written statement to file with the committee we will be glad to receive it and consider it. Proceed, counsel.

Mr. TAVENNER. May I have an answer to the question?

Mrs. ROBESON. I think the question you asked me was whether this was true or false, was that it, Mr. Tavenner?

Mr. TAVENNER. Yes; whether the Communist Party dues from the radio group were turned over to you by Mr. Vinson, Owen Vinson.

Mrs. ROBESON. Yes. Since I am not being permitted to cross-examine the gentleman in question, I will, of course, refuse to answer this question out of my own conscience and I would like to state my reasons for so refusing.

Mr. JACKSON. Do you decline to answer the question?

Mrs. ROBESON. Yes, I do. I most certainly decline.

Mr. JACKSON. Very well, proceed.

Mrs. ROBESON. And I decline to answer this question primarily, I think, as a mother, because I feel that—

Mr. TAVENNER. Just a moment.

Mr. JACKSON. Order in the hearing room.

Mr. TAVENNER. I am not attempting to imply in any way that this money was personal money. This money was official money raised through dues and assessments in the Communist Party. That is the money I am speaking of.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. CLARDY. And may I suggest something? We are not attacking the institution of motherhood in that question and I think the witness should be directed to answer in one fashion or another.

Mr. JACKSON. The witness has, as I understand it, declined to answer the pending question. She is now about to embark on what I trust will not be too lengthy an explanation.

Mrs. ROBESON. No, it won't, but it is meant most sincerely. This is a very important question. The whole realm of these questions is important and it is very important to me to answer a question in this general field of questioning as I see fit and as comes from my conscience and if I may I will be brief, and I want to say it.

Mr. DOYLE. Go ahead.

Mrs. ROBESON. I feel that the future of not only my children but America are at stake in this hearing room and I want to say why I feel that way.

I want my children to live proudly with their own religious beliefs, with no inquiry by any one of you gentlemen as to what they are.

And I want my children to read all kinds of books and to sing all kinds of songs and not just the ones that you may think fit for them to read.

Mr. SCHERER. Pardon me. You understand the Communist Party wouldn't permit those things, don't you?

Mrs. ROBESON. May I go on, please? I tried to teach my children not to be rude. I hate for them to see a Congressman rude to us.

Mr. WALTER. You would be surprised to know how many mothers you are insulting with such talk.

Mr. JACKSON. The witness will proceed, please.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. May I continue, Mr. Tavenner?

Mr. TAVENNER. Yes.

Mrs. ROBESON. And I would like to say what I want to say really without being interrupted. I think there were people who applauded in the arena when the early Christians——

Mr. CLARDY. I can't hear you. Your voice is not carrying here at all. Could you speak up a little louder?

Mrs. ROBESON. I think there were people——

Mr. MOULDER. Mr. Chairman, may I make this statement, or object, or point out that the witness' statements are not relevant to the question, nor to reasons for declining to answer, which I understand she stated she declines to answer the statement.

Mr. JACKSON. I think that is clearly understood. I think everyone listening to her realizes we haven't had any statements that are responsive to the questions, so far as constitutional privilege is concerned. However, in order that we will not be accused of strangling free speech, I think perhaps we can spend 5 minutes, if you can finish it in 5 minutes. We will appreciate that.

Mrs. ROBESON. Apparently I do agree with you gentlemen here on some things, and I think if I am given 5 minutes, perhaps, to disagree the same as others were given 5 days to agree, I will appreciate it.

Mr. DOYLE. Go ahead, young lady, please.

Mrs. ROBESON. This is the way I would interpret the amendments to the Constitution and I want to put it in my own words.

I want my children to come together peacefully with their neighbors, with no interference from some people. I want my children when they are older to feel free to write to their Congressman and to their President on any subject they may consider a grievance and to do it without fear.

To me that would mean the first amendment to the Constitution.

Furthermore, as a result of the experience of my life and all that I have learned in my lifetime is a part of my thinking and I will allow no one to search my thoughts and to my way of thinking that is the meaning of the fourth amendment to the Constitution.

Furthermore, the pain and the tragedy of the inquisition is something that I, with my biblical name and all that that name represents, is something I cannot forget and I am very proud and very happy to be living in a country where no one is forced to become a witness against himself and, as I interpret it, that is the noble fifth amendment to the Constitution of the United States.

Mr. CLARDY. Are we to interpret that as an invocation for the protection of the fifth amendment?

Mrs. ROBESON. May I say that my feeling about the fifth amendment to the Constitution is for the protection of all people who live in the United States.

Mr. JACKSON. Do I understand, then, that you decline to answer the question that was asked?

Mrs. ROBESON. I do decline on those grounds, in terms of what they mean to me.

Mr. JACKSON. Upon the grounds of the first, fourth, and fifth amendments, the witness refused to answer the question and do you have any further questions, counsel?

Mr. TAVENNER. Yes.

Mr. Leopold Atlas, a writer in Hollywood, testified in an executive statement that he was a member of the Communist Political Association in Hollywood and he was assigned to a group in San Fernando Valley as a writer.

He testified that he was the treasurer of this group for a period of time, and that while he was treasurer he collected Communist Party dues and then he remitted them to you.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mr. TAVENNER. Is that true or false?

Mrs. ROBESON. What was—what did you say that name was?

Mr. TAVENNER. Mr. Leopold Atlas.

Mrs. ROBESON. How do you spell it?

Mr. TAVENNER. He is also known by the first name of Les, as I understand. The spelling of that last name is A-t-l-a-s.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. TAVENNER. I think I should state, Mr. Chairman, that the person so testifying, according to our information and his own testimony, left the Communist Party in 1945 or possibly a little later.

Mrs. ROBESON. May I ask when and where this man made these statements? Did you say that this was an executive—

Mr. TAVENNER. The question is, Is the statement true or false, wherever it was made and whenever it was made? The time of making the statement or the place has nothing to do with its truth or falsity.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. You mean I was not allowed the privilege of hearing anything about this before this time? I mean, these people who make statements—

Mr. TAVENNER. Do you need time to answer that question?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Was I ever served with any notice of when and where this testimony was given?

Mr. TAVENNER. Will you answer my question?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. In view of the statement made by counsel, since I am partly being judged, in a sense, here, by people who seem to sell souls for a living, or something, of course I must decline to answer this question.

I mean, when one is confronted with things like this, without any possibility of any cross-examination, I will therefore decline on the grounds of the first amendment to the Constitution of the United States, because I feel that you gentlemen are doing more than just an investigation of what you are investigating. I think you are really delving into the realm of many fields.

Mr. CLARDY. I suggest this is not responsive to the question, and she be directed to answer the question.

Mr. JACKSON. Does the gentleman expect a responsive answer?

Mr. CLARDY. No, but I thought by some accident she might get along to her real objective.

Mrs. ROBESON. I will also decline to answer this question on the basis of the fourth amendment to the Constitution and on the basis of the fifth amendment, since people present evidence here, obviously, and the veracity of people is not to be questioned, I must decline to answer because I cannot become forced to become a witness against myself.

Mr. WALTER. The best way to question the veracity of the witness would be to deny their statement.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. WALTER. It is very simple.

Mrs. ROBESON. Since this is again a legal matter and my attorneys advise me that there is a better way, all I can suggest is that you confer with them.

Mr. MOULDER. Mr. Chairman.

Mrs. ROBESON. Would you like them to tell you?

Mr. JACKSON. Mr. Moulder.

Mr. MOULDER. If the accusation was false, wouldn't you deny it? Or would you deny it?

Mrs. ROBESON. Pardon me a minute, Mr. Moulder.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mrs. ROBESON. May I have that read back, Mr. Moulder? Do you want to repeat the question?

Mr. MOULDER. I asked you if you would deny the charge of accusation of which the witness has testified, that is, the charges about you, which you have declined to answer.

I am asking you the question. If it were false, would you deny it?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Do I direct my answer to you, Mr. Moulder, or to Mr. Tavenner?

Mr. JACKSON. Mr. Moulder.

Mrs. ROBESON. Mr. Moulder, I think all of these questions are a part of the same question, and I will therefore decline on the same grounds that I stated before. I might add that any such question, I will use the same answer. I hope this is understood and I don't have to repeat the grounds. If you want to, I will be glad to, because they mean a great deal to me.

Mr. JACKSON. You simply decline to answer upon the grounds previously stated.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mr. TAVENNER. Mrs. Robeson, you used the language, in describing Mr. Atlas, which I cannot let go unchallenged, that you referred to him as a person who sold his soul.

Mrs. ROBESON. Pardon?

Mr. TAVENNER. I understood you to say that.

Mrs. ROBESON. No, no; I don't think I said that.

Mr. TAVENNER. Or a person who sells souls.

Mrs. ROBESON. Do you want to read it back?

Mr. TAVENNER. I want to say, in behalf of Mr. Atlas, that he, like a great many other people who have been subpoenaed before this committee, have testified honestly and truthfully in answer to the questions by this committee. They have done it out of the sense of very deep patriotism to this country. I cannot let go unchallenged the statement you made about it.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mrs. ROBESON. I just want to say one word, Mr. Tavenner. I feel I also have a great felling of patriotism for my country.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mr. ESTERMAN. Just a minute.

Mr. SCHIERER. May I ask a question?

Mrs. ROBESON. May my attorney make a request, insofar as the audience sounds are coming forth? I think that people have a right in this country to express opinions, and I am expressing an opinion that may be somewhat different from the opinion of the people in the audience, but I would listen respectfully to them if they were presenting an opinion, and I would like to ask their respect to my opinions.

Mr. JACKSON. You are expressing an opinion and in its way the audience is expressing its opinion.

Mr. MARSHALL. Answer her request, that the counsel be allowed to address you concerning the audience.

Mr. JACKSON. No; I am sorry. I have tried on all occasions since I have been in the chair to maintain order in the hearing room.

Mr. MARSHALL. You haven't succeeded.

Mr. JACKSON. I have done the best I could.

Mr. MARSHALL. It hasn't been good enough.

Mr. JACKSON. Having listened to the witness—

Mr. MARSHALL. You provoke this. You provoke this. You provoke it.

Mr. JACKSON. I am sorry. I say perhaps the feelings of the people in the audience are fully as strong as the witness'.

I have tried on all occasions to keep the audience in order and will continue to call them to order and ask them for cooperation in keeping the hearing in order.

Mr. MARSHALL. You incite that. You encourage that.

Mr. JACKSON. The Chair will hear no further argument from counsel.

Mr. Scherer.

Mr. SCHERER. Mrs. Robeson—

Mrs. ROBESON. Is there a question pending here?

Mr. SCHERER. Just a minute. Mrs. Robeson, have you ever received any compensation from the Communist Party for services which you rendered to the Communist Party?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Mr. Scherer, I have been watching some of this on television and listening here from the room, and I have noticed while you gentlemen make statements to continue the kind of opinion that is expressed by this committee. I feel there is much room in this country for many kinds of expressions of opinion. It is the same question, Mr. Scherer, made in the form of a statement over and over again by this committee.

I think there are good things in all people. We can find those good things and grow together in this country. I will decline—

Mr. JACKSON. Will the witness answer the question?

Mrs. ROBESON. I will decline to answer that question on the same grounds as previously stated.

Mr. JACKSON. Very well.

(At this point Mrs. Robeson conferred with Mr. Esterman.)

Mr. SCHERER. Isn't it a fact—

Mr. MARSHALL. Don't wave your finger at the witness.

Mr. SCHERER. You put yours down then.

Mr. MARSHALL. I am telling—

Mr. CLARDY. May I ask you to admonish counsel again, Mr. Chairman?

Mr. JACKSON. I have on several occasions.

Mr. MARSHALL. Again I am told to shut up by somebody in the audience. This gentleman right here [indicating]. He says, "That is right."

Mr. JACKSON. The gentleman in the audience and all of the audience will kindly not make audible comments. I will again admonish counsel to address all his remarks through his client, in an inaudible tone of voice.

Mr. Scherer.

Mr. SCHERER. Have you ever rendered any services to the Communist Party for which you have not received compensation?



Mrs. ROBESON. Mr. Scherer, again it is the same question that you repeat over and over again.

Mr. SCHERER. I get the same answer.

Mrs. ROBESON. Of course, because I must decline to answer this question. You are trying to, I think, by the repetition of this question, separate people, one from another, in this country. Let's get together. Let's grow up together and not separate one from another.

Mr. JACKSON. Do you decline to answer?

Mrs. ROBESON. I decline on the same grounds previously stated. I think the Constitution of the United States is a magnificent document.

Mr. JACKSON. So do I. I hope we can hold on to it.

Mrs. ROBESON. I hope so, too.

Mr. MARSHALL. See, Mr. Jackson, you did it again.

Mr. DOYLE. I move that—

Mr. JACKSON. Counsel will direct his remarks through his client. I do very sincerely hope we can maintain and hold on to the Constitution of the United States. If that is not the expression of an American, one an American should make, I will apologize. However, I don't think that is the case.

Mr. MARSHALL. Is there a question pending?

Mrs. ROBESON. Is there any question pending?

Mr. TAVENNER. I am prepared to ask you one. A witness by the name of Max Silver, who was organizational secretary—

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. TAVENNER. Are you ready?

Mrs. ROBESON. Yes.

Mr. TAVENNER. Mr. Max Silver, who was organizational secretary of the Communist Party in Los Angeles County for a number of years, testified before this committee and told this committee the circumstances under which he had been a member and left the party.

Being a very high functionary in the party, we were anxious to learn from him how the large sums of money which were collected in Hollywood were handled. Mr. Silver advised us in his sworn testimony that the money collected by the northwest section of the Communist Party did not go through the county or State organization, but went directly to the national headquarters at New York.

(Representative Donald L. Jackson left the hearing room at this point, 4:50 p. m.)

Mr. TAVENNER. Do you have any knowledge how the money was collected from dues in the northwest section of the Communist Party and was disposed of or transmitted?

Mrs. ROBESON. Mr. Tavenner, without the desire for you to assume anything by my answer, for the same reasons I have given before I will decline to answer that question.

Mr. WALTER. May I ask a question?

Mr. TAVENNER. Yes.

Mr. WALTER. To whom did Max Silver testify as to who collected the money that was transmitted to New York? To whom was it paid by the members?

Mr. TAVENNER. Max Silver did not testify who collected the dues from the northwest section of the Communist Party.

Mr. MOULDER. You are just trying to find out.

MR. TAVENNER. I am trying to find out what was done with the money. It did not go through State and county headquarters, according to Mr. Silver.

Were you the secretary-treasurer of the northwest section of the Communist Party?

MRS. ROBESON. Mr. Tavenner, you repeat these things over and over and over again. Therefore, I will repeat over and over and over again to you the same answers.

I decline to answer that on exactly the same grounds I have stated before, because I think your repetition of this over and over and over again is doing great harm to the good will of citizens of the United States of America. We can be good neighbors, and I think this kind of thing destroys good neighbors.

MR. TAVENNER. In other words, you do not approve of the committee undertaking to investigate how the Communist Party manipulated its organization in this area, is that the position you are taking?

(At this point Mrs. Robeson conferred with Mr. Esterman.)

MRS. ROBESON. No; I don't think that is what I said. I think the repetition over and over again is what I said before.

MR. TAVENNER. Are you now a member of the Communist Party?

MRS. ROBESON. Mr. Tavenner, again, without your assuming anything, I will decline to answer that question on exactly the grounds and for the reasons that I gave before.

MR. CLARDY. Quiet, please.

MR. SCHERER. Are you still the treasurer of the the northwest section?

MR. MOULDER. If you were not a member of the Communist Party, don't you think you would deny it?

MR. CLARDY. Just a minute.

MR. SCHERER. Are you still the treasurer of the northwest section?

MRS. ROBESON. As I said before, by statements you gentlemen—questions you gentlemen assert, assumptions—are sometimes made by people that are listening. I think assumptions like this should not be made.

I will refuse to answer this question on the same grounds I previously stated.

MR. SCHERER. If you weren't the treasurer, will you so answer, Mrs. Robeson?

(At this point Mrs. Robeson conferred with Mr. Esterman.)

MRS. ROBESON. Well, again, because you gentlemen repeat these questions over and over again to settle something in people's minds, I refuse to answer that question on the same grounds that I previously stated. I hate to see atomic dust spread around in the eyes of people in this country, and I think we all—I would just like to add this quotation, if I may, from the Supreme Court, that, "Compulsory unification of opinion leads to the unanimity of the graveyard," and, gentlemen, I am more interested in birthday parties than in graveyards.

I decline to answer any question on this subject, because I think it is attempting to lead to conformity and to unanimity of opinion. I decline to answer any more questions you may ask me in this department on the same grounds that I have previously stated.

Shall I repeat them for you?

MR. CLARDY. That will not be necessary.

Mr. SCHERER. Just one more question. Did you handle the funds that were transmitted from the northwest section directly to the national headquarters, instead of putting it through the State and local organization?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

(Representative Donald L. Jackson reentered the hearing room at this point, 4:59 p. m.)

Mrs. ROBESON. Although, Mr. Scherer, I don't remember the exact wording of your question, I assume it is in the same vein of questioning and therefore I will decline to answer on the same grounds, with the addition of something that has always been important to me, that is, politicians think of the next election, but statesmen think of the next generation. I think our men in Congress should think of being statesmen these days.

Mr. SCHERER. Now, did you transmit all the funds that came into your hands as treasurer of the northwest section to the national party?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Mr. Scherer, as I recall your last question, you said to me, "Now, one more question," and you have made it 2 questions, so I will give you 2 of the same answers.

Mr. Scherer, again I will decline, of course, to answer this question for the same reasons I stated when the first such question was asked of me.

Mr. SCHERER. Thank you.

Mr. JACKSON. Mr. Walter?

Mr. WALTER. I believe you declined to answer a question a minute ago because you said assumptions are being made by people who are listening. What did you mean by that?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. I think, was it Mr.—

Mr. WALTER. Walter.

Mr. JACKSON. Walter.

Mrs. ROBESON. Walter, I think if I didn't state it before in my original declination, I certainly meant that the fifth amendment to the Constitution was written for innocent people so that we would not have an inquisition in this country. I think that Judge Denman made this clear. This is what I meant by no assumptions, that the fifth amendment was written for innocent people.

Mr. JACKSON. Is there anything else, Mr. Walter?

Mr. WALTER. No.

Mr. JACKSON. Mr. Moulder?

Mr. MOULDER. A moment ago I started to ask a question. I didn't realize a question was already pending.

In answer to the question propounded to you by Mr. Tavenner, when he asked you whether or not you were a member of the Communist Party, you declined to answer for reasons previously given in your testimony.

The question I want to ask you is, if you are asked whether or not you are a member of the Communist Party you wouldn't so deny it, if it were untrue?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Well, I can't say often enough that the same kind of questioning is repeated over and over and over again, so that people will think that anything which is for people coming together, it becomes a subversive thing, and I will decline, of course. Mr. Moulder, because it is the same kind of question, and I will decline for the same reasons I have given before.

Mr. MOULDER. Then people will think you are a member of the Communist Party. That is what they will think.

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mr. JACKSON. I understand there is no question pending.

Mr. ESTERMAN. We understand there is.

Mr. CLARDY. No, there isn't.

Mr. JACKSON. Mr. Moulder said he had no question pending.

Mr. MOULDER. No.

Mrs. ROBESON. That was not a question, Mr. Moulder?

Mr. MOULDER. No.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I couldn't help but notice, Mrs. Robeson, your declaration that you were primarily interested as a mother in your appearance before this committee today and the future of your children and American children. You said the future of American children is at stake in this very hearing room. Remember saying that?

Mrs. ROBESON. Yes, I do.

Mr. DOYLE. Then I noticed also that you said, "I want my children to write their Congressman and President."

If it isn't too personal, can you tell me about how old your kiddies are?

Mr. ESTERMAN. That is too personal.

Mrs. ROBESON. I don't think I really want to answer that.

Mr. DOYLE. Are they in an elementary school, or what?

Mrs. ROBESON. They are young children and if you want to bring them into this hearing—

Mr. DOYLE. No; I wasn't going to ask their names or anything of that kind. I was wondering how long it might be before they would begin writing their Congressman and President.

The reason I say that is I suppose you would want them to write their Congressman and would expect their Congressman to enforce the laws of the United States. You would expect that, wouldn't you?

Mrs. ROBESON. I certainly would, Mr. Doyle, and I would certainly want them to feel free to write to their Congressman if they disagreed with some law.

Mr. DOYLE. That is right. And if when they grow up, or if they were now of an age to write to their Congressman from California, because both Mr. Jackson and I are from Los Angeles County and we are here under Public Law No. 601, passed by the Congress of the United States, and as it so happens that law tells us to come to California and other cities all over the United States to make inquiry into subversive and un-American activities and communistic propaganda.

Now, that being a law passed by the United States Congress, you would, I know, expect your children to expect their Congressmen to obey that law, wouldn't you?

(At this point Mrs. Robeson conferred with Mr. Esterman and Mr. Marshall.)

Mrs. ROBESON. Well, Mr. Doyle, this perhaps is why, in a sense, I have been subpoenaed to come here, because perhaps my opinions on some things might differ from yours and I therefore wondered if I might—if I might ask you, what do you consider is un-American?

Mr. DOYLE. Well, of course, we are not undertaking to interfere with any persons' thinking or thoughts. We are undertaking, however, to uncover, and expose to the sunlight of truth and light of day, people, wherever they are, who are openly or secretly advocating subversive activities for the forceful and violent overthrow of our form of government.

Now, just a minute, counsel, let me finish.

Mr. ESTERMAN. Now, just a minute. I want to talk to my client.

Mr. DOYLE. While I am answering her question?

Mr. ESTERMAN. Yes, consider yourself interrupted.

Mr. DOYLE. Thank you very much.

Mr. CLARDY. Mr. Chairman, I suggest that such insolent conduct be repeated that something be done about it. This has gone far enough.

Mr. JACKSON. Order in the committee.

Mr. DOYLE. Would you like me to finish answering your question?

Mr. WALTER. Wait a minute. The witness is conferring with her attorney.

Mr. DOYLE. If your attorneys do not want me to answer your question, of course, that is another matter.

Mr. MARSHALL. Could I reply to that, Mr. Doyle? Was that directed to us?

Mr. JACKSON. No.

Mr. SCHERER. Perhaps it should have been.

Mr. JACKSON. Will counsel and his client please consult and let us get along with this?

Mr. MARSHALL. I have a question pending of Mr. Doyle.

Mr. DOYLE. You are not in the witness chair. Go ahead.

Mrs. ROBESON. Go ahead, Mr. Doyle, I am sorry.

Mr. WALTER. May I interrupt at this point? Perhaps I can shed a little light on this matter. You talked about the reason you were here. Well, it happens to be one of the cases which I know something about. I know why you have been subpoenaed. You have been subpoenaed because we have been interested for a long while in ascertaining how money was siphoned off from Hollywood to New York to support the Communist Party in the United States and we were informed that you could throw some light on that situation. That is why you have been subpoenaed.

Mrs. ROBESON. I would just like to say—

Mr. WALTER. Does that answer your question?

Mrs. ROBESON. I don't think I asked a question.

Mr. DOYLE. You asked the question as to why you were subpoenaed, the reason for the subpoena.

Mrs. ROBESON. I think I said—if you will look at the record, you will undoubtedly see the reason why I was brought here and that was because I may differ on certain subjects.

Mr. DOYLE. No, that isn't the reason you were brought here.

Mr. WALTER. You were brought here because we thought you could throw some light on the manner in which the thousands of dollars that were raised in Hollywood found its way into New York.

Mr. DOYLE. Mr. Chairman, may I just finish very briefly, please?

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. With apologies to both of you. But I think this is perhaps an opportune time for me to say in about 30 seconds, and make it indelibly clear as I can to you, as a mother of children and some of the rest of us have children and grandchildren, too, and we are just as much concerned about the future of our Nation as some of the rest of you; but I wish I could make this indelibly clear that this committee has not and will not knowingly be a party to interfere with the thinking of people—interfere in the different realms of thinking.

What we are interested in is to fulfill our assignment, which is to investigate and submit back to Congress what we find to be the facts about the extent of subversive and un-American activities and propaganda in this country.

Now, it is in that area that we are challenged with the fulfilling of an official duty, with reference to what bearing the facts may have on legislation in Congress. In other words, it has a legislative purpose and background. Now, I wish to say this to you with respect to your opinion: If it so happens that the person happens to be an American mother who happens to be a member of the American Communist Party, which we believe to be, and which we believe to be from the facts we have and the evidence we have, we believe to be intent, if you please, on the forceful and violent overthrow of our form, our constitutional form of Government. Now, that is our assignment, Mrs. Robeson, and that is why I asked you about your kiddies.

Let me ask one more question—no, I think I will not. I will withdraw that, Mr. Chairman.

Mr. JACKSON. Mr. Frazier?

Mr. FRAZIER. No questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No.

Mr. JACKSON. The witness is excused.

Mrs. ROBESON. I hope we can all live to work together.

Mr. JACKSON. Order in the hearing room. I hope that it will not become necessary to ask the marshal at this late date in the hearings, to take any action toward clearing the hearing room. Those in the hearing room will kindly cooperate with the Chair in maintaining order and not express approval or disapproval.

Mr. CLARDY?

Mr. CLARDY. Mr. Chairman, as everyone knows, including the members of the committee, and you especially, you and Mr. Doyle, I am not a native or a resident of California. But since I must, because of airplane reservations, get out of here tomorrow morning and miss tomorrow's session, I can't let this occasion pass without thanking the people of this section of the Nation for their splendid cooperation they have given to the committee, and for the lovely weather they have blessed us with.

I must confess that I have been a little bit disturbed by some of the performances before us and I think we are leaving it in good hands, however, when we leave for the East.

Mr. DOYLE. Mr. Chairman, I want to read this one telegram.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I wish to read a telegram which was sent in my care to the committee today. It is from Huntington Park, Calif., which is in my Congressional district, and it is as follows:

Hon. Congressman CLYDE FOYLE,

*House Un-American Activities Committee,  
Federal Building, Los Angeles.*

During the recent hearings of your committee in Los Angeles, the name Bob Roberts was used in connection with Communist activities. Since I am known to many as George or Bob, this might be confused with me. My many friends and associates will know better, but others may not. For the record and the public, I would like to say that neither my wife Marvel nor I are members of the Communist Party. We never have been and never intend to be. In fact, myself and the organization, CIO, which I am privileged to represent, have always worked hard to eliminate those ills that breed communism in America and we will continue to do so. I am asking you as my friend and Congressman to please clear this for the record.

Thanking you very kindly,

GEORGE BOB ROBERTS,  
*Western Regional Representative, CIO.*

I would like to offer that for the record.

Mr. JACKSON. Very well, it will be received. Is there anything further from any of the committee members, Mr. Counsel?

Mr. TAVENNER. Nothing.

Mr. JACKSON. In that case, the committee will stand in recess until 10 o'clock on tomorrow morning.

(Whereupon, at 5:20 p. m., the hearing was recessed until 10 a. m., Tuesday, March 31, 1953.)





# INVESTIGATION OF COMMUNIST ACTIVITIES IN THE LOS ANGELES AREA—Part 3

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TUESDAY, MARCH 31, 1953

UNITED STATES HOUSE OF REPRESENTATIVES,  
COMMITTEE ON UN-AMERICAN ACTIVITIES,  
*Los Angeles, Calif.*

## PUBLIC HEARING

The Committee on Un-American Activities met, pursuant to call, at 10:05 a. m., in room 518, Federal Building, Hon. Donald L. Jackson (acting chairman), presiding.

Committee members present: Representatives Donald L. Jackson (acting chairman) and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; Thomas W. Beale, Sr., chief clerk; and William A. Wheeler, investigator.

Mr. JACKSON. The committee will be in order.

On the instructions of the chairman of the full committee of the House Committee on Un-American Activities, a subcommittee has been appointed for the purpose of hearing testimony this morning; the subcommittee consisting of Mr. Doyle and myself.

Earlier in the week, I believe on Monday last, I inserted into the record the action of the board of trustees of the Los Angeles Bar Association at its meeting on February 17 relative to certain changes which were recommended for the business and professions code of the Los Angeles Bar Association.

There appears to have been a misunderstanding in some quarters, as to whether or not the action of the board of trustees represented a final action on the part of the Los Angeles Bar Association, or whether the action was preliminary and in the form of a recommendation.

In order that the matter may be entirely clear so far as the official record of the hearings is concerned, I should like to read into the record at this point a letter addressed to me by Mr. W. I. Gilbert, Jr., president of the Los Angeles Bar Association, in which Mr. Gilbert says:

SIR: This will advise that on February 17, 1953, the board of trustees of the Los Angeles Bar Association considered the Belcher report, revised its language somewhat, and passed a resolution recommending the adoption of section 6068 of the business and professions code to read as follows:

"(b) To maintain the respect due to the courts of justice and judicial officers, and to refrain from disrespectful, offensive or disorderly conduct during the course of hearings before lawfully constituted legislative, executive and administrative bodies, boards, committees, or officers.

"(c) Never to seek to mislead by an artifice or false statement of fact or law a court of justice or judicial officers, or a legislative, executive or administrative body, board, committee or officer."

The portions *above underlined* is the language recommended for adoption by the board of trustees.

Very truly yours,

W. I. GILBERT, Jr., *President.*

Who is your first witness, Mr. Counsel?

Mr. TAVENNER. Mr. Chairman, before calling the first witness, may I read into the record certain messages that have been received?

Mr. JACKSON. Certainly.

Mr. TAVENNER. Mr. Chairman, a communication has been received from a person by the name of Lillian Heron. It reads as follows:

Wish it made clear on the record that the Lillian Heron listed by Mrs. Macia, Saturday, March 28, is not the Lillian Heron who resides at 521 Woodruff Avenue, Arcadia.

I am not and never have been a member of the Communist Party.

A letter has also been received from a person who signs his name "Albert A." and then in parentheses "Al" Lewis, who is director of athletics at the William S. Hart Union High School in Newhall, Calif. In his letter he states that it has been brought to his attention that during the course of the committee hearings and in the testimony of Friday, March 27, a Mr. Al Lewis, reported to be a teacher in the Los Angeles area, was named as being affiliated with those parties of a communistic nature.

In this letter he states that he is not the individual referred to; that he has not had anything to do with communism, and that he would like, for the sake of his family and his friends and the school, to have his name cleared of any connection with the party so named.

I may state something which has been said before in connection with these messages. These messages are being received as a result of the invitation that the chairman of the committee has given from time to time to permit the appearance of any person or organization as to whom there has been any question raised regarding Communist Party activities, to give them an opportunity to deny or explain it.

This, of course, is a quick and easy method of accepting that invitation.

The committee, of course, has not made any investigation of any of these matters which are the subject of these letters.

Now, with reference to an oversight on my part, a person by the name of Paul Marion was mentioned in the course of the testimony of Mr. Dwight Hauser as a member of the Communist Party. Mr. Paul Marion has testified before the committee and has fully cooperated with it and has testified that he withdrew from the Communist Party quite a period ago, and out of fairness to him I should have mentioned that fact when his name was mentioned in the course of the testimony by Mr. Dwight Hauser. He has reminded me in this telegram that I failed to do so.

This is a telegram which reads as follows:

The name Lon Brooks listed in Sunday's papers as a Communist Party member is some person other than Lon A. Brooks, a resident of Beverly Hills for 23 years and a practicing lawyer in this community for 32 years. It will be greatly appreciated if you will clarify my identity in this matter before your committee and the public.

His address is 360 North Bedford Drive, Beverly Hills.

That is all I have, Mr. Chairman.

Mr. JACKSON. One more matter. I have a long telegram here which I shall not read, but which deals with certain candidates for the board

of education. In my statement of yesterday it will be recalled, I am sure, that no mention was made of any candidate for any school board position, and it is certainly not the function of the committee to enter into that matter. So far as I know, there is no reason to enter into the matter of candidates as distinguished from certain organizations.

Here is a telegram from Burton Taylor, treasurer-secretary, Citizens Inquiry Committee, which states:

Received many calls that Representative Jackson named our organization as one allegedly attempting to subvert oncoming municipal election. According to newspapers Jackson named groups which bear names like ours. Unchecking persons hastily formed erroneous judgments. For continued respect and prestige of our group would appreciate committee's public announcement we are in no way connected with groups mentioned.

On yesterday I did not mention the Citizens Inquiry Committee.

Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Roy Erwin.

Mr. JACKSON. Do you solemnly swear that the evidence you are about to give to this subcommittee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ERWIN. I do.

### TESTIMONY OF ROY ERWIN

Mr. TAVENNER. You are Mr. Roy Erwin?

Mr. ERWIN. I am.

Mr. TAVENNER. Will you spell your last name, please?

Mr. ERWIN. E-r-w-i-n.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. ERWIN. I am not.

Mr. TAVENNER. You are aware of the committee policy to permit and encourage every witness to have the benefit of counsel, if he so desires?

Mr. ERWIN. I am.

Mr. TAVENNER. Now, when and where were you born, Mr. Erwin?

Mr. ERWIN. I was born in Los Angeles July 1, 1923.

Mr. TAVENNER. What is your profession?

Mr. ERWIN. Sound-effects man, free-lance actor, writer.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been, that is, what your formal educational training has been?

Mr. ERWIN. I went to school in the Los Angeles city school system, through the elementary grades, and in high school here and in Palm Springs, and took extension courses at UCLA in 1943.

Mr. TAVENNER. Could you give the committee, please, a general description of your employment since 1943 and the type of work that you were engaged in?

Mr. ERWIN. Well, in 1943 I went to work as a sound-effects man for one of the networks, and continued in that job until January 31, 1952. Since then I have been in the free-lance field and was out of the city most of last year, 1952.

Mr. TAVENNER. The committee, through the testimony of Mr. Hauser, learned yesterday that for a period of time you had been a member of a group of the Communist Party which was organized within the radio industry or within the radio field. Is that correct?

Mr. ERWIN. That is correct, Mr. Tavenner.

Mr. TAVENNER. For how long a period of time were you a member of that group?

Mr. ERWIN. I entered the group late in 1945. I am not precisely sure of the date. I continued at that time for a period of 3 or 3½ months, something of that nature. At that time I was put on a so-called leave of absence, and then I reentered the group in 1947, the fall of 1947, and remained until the end of 1948 or the beginning of 1949.

Mr. TAVENNER. When you returned to membership in the Communist Party, or, rather, became active the second time in the party, was that on your own initiative or not?

Mr. ERWIN. Well, actually it was on my own initiative, yes, but with the counsel of a duly constituted investigating agency of the United States Government.

Mr. TAVENNER. I think the best way to learn of your experience in the Communist Party is for you to begin with the first inception of your membership and tell the committee first the circumstances under which you became a Communist Party member.

Mr. ERWIN. Well, probably the first thing, in order not to cover too much area that has already been covered by other witnesses, this was in 1945 and I was recruited into the party by a person revealing himself as a member of the party who gave me certain literature which I have here, which is the very literature which was handed to me. I would like to read just a brief bit here, which will save time, rather than my giving a description of it.

This publication is called the Communist Political Association, by David Goldway. It bears a date, I believe, of 1945. Yes.

It says—

What does a Communist do?

On the job, preferably a war job, works for all-out production for victory. Takes part in union meetings, working for labor unity and against discrimination. Goes to CPA Club meetings, usually twice a month—takes part in its activities. Goes to the movies. Liked *Dragon Seed*, *Tomorrow the World*, *Fighting Lady*. Reads the *Daily Worker*, the *Worker*, and occasional CPA pamphlets.

Writes to his Congressman frequently for or against bills on vital issues.

Buys war bonds and gives to war-relief funds.

Gives blood to the Red Cross, too.

When shopping, checks points and ceiling prices. Supports price control.

Dinner at home. Romps with the kids. Listen to news broadcasts on the radio.

This is just a general rundown. This is a general feeling of what the Communist Party or the Communist Political Association was at that time, and this was, as I say, in the late fall of 1945.

Mr. TAVENNER. Matters such as you have alluded to were representations made by the Communist Party to assist it in recruiting during that period?

Mr. ERWIN. That is true. As other witnesses have said, I was interested—of course, I was only 22 at the time, but I was interested in liberal education, fair employment, any legislation against discrimination, and any prevention of discrimination. I was appalled at seeing a meeting of the Gerald L. K. Smith group, and these people seemed to be fighting it on an actual plane. At least it was so represented to me at the time.

Mr. TAVENNER. Well, as a result of what you understood at that time that the Communist Party stood for, did you become a member?

Mr. ERWIN. I did, Mr. Tavenner.

Mr. TAVENNER. To what group of the Communist Party were you assigned when you became a member?

Mr. ERWIN. Well, it was called the radio branch, as I recall it.

Mr. TAVENNER. Well, will you tell us in your own words what your experience in that group was?

Mr. ERWIN. Well, I went to the meeting that Mr. Hauser referred to yesterday. We very definitely passed in the night. I arrived late, having done a show, and arrived with the person who recruited me.

Mr. TAVENNER. Who was that person?

Mr. ERWIN. Nina Klowden, K-l-o-w-d-e-n. I believe we had done a show together, I am not sure, but, anyway, we were late, and Mr. Hauser was at that meeting. I was surprised to see him. I had worked with him also in radio shows before, and I recall a very peculiar thing he said to me. However, there were so many peculiar things happening that evening, that it sort of blended in with the rest.

As I entered I saw him enter, and he said, "I'm sorry to see you here," and that was the evening he left and that was a half-, three-quarters of an hour before the meeting ended. I never saw him at any subsequent meetings after that.

As I say, it appeared peculiar at the moment. However, there were a lot of peculiar things happening.

At that meeting they elected a term chairman, whereas, I was told at the meeting that prior they had been just appointing or electing the chairman for each meeting. That is, at one meeting they would elect a chairman for the subsequent meeting, and so forth.

Mr. TAVENNER. Who was the person elected chairman?

Mr. ERWIN. Georgia Backus was elected at that time for whatever the prescribed term was. That changed also, I believe, later, and I was not allowed to vote on that because they decided that my vote would not be intelligent at that time since I had just entered the group, but I watched the election and very little else was accomplished at that time other than setting up the time for the next meeting.

Mr. DOYLE. How long had you been supporting yourself at your profession prior to the occasion on which they said you wouldn't give an intelligent vote?

Mr. ERWIN. About 2 years.

Mr. DOYLE. You were 22 or more?

Mr. ERWIN. I was 22; yes.

Then I went to a number of meetings after that. I wasn't too regular because of the nature of my work. My time was scheduled, although it was erratically scheduled, as all network operation is. That was due to program exigencies. I wasn't able to attend all meetings. They seemed to understand that.

The complexion of things changed or was very different than had been represented to me, and I was quite confused, to say the least, by what had been told me about the Communist Party, as to this sort of thing that I have read here and what was actually happening.

Also, there was at the time a vacancy for a sound-effects man on the AFRA, the American Federation of Radio Artists, that is, the AFRA board, local board of directors. One of the members, I believe, had been moved to the national board, leaving a vacancy on the local

board. I was appointed to that board at that time and became quite interested in the conduct of the union.

MR. TAVENNER. Were there any other members of this group of Communists, in this radio group of Communists, on that board?

MR. ERWIN. Georgia Backus at that time was on the board.

MR. TAVENNER. Do you remember what her position on the board was?

MR. ERWIN. I don't know that she held any official position. I wouldn't be absolutely positive of that, that is, other than just a regular board member.

So I was on the board later and I became elected to the board when the term of the person who vacated his position was up thereafter, and I was elected for a period of 3 years to the board as a sound-effects member, on the board of the American Federation of Radio Artists.

At that time I became quite interested in seeing certain improvements in the situation of sound effects men pertinent to AFRA itself. And also I was told to bring any of my union problems, definitely, to the party meetings and they would discuss them.

I did take some of those problems to party meetings and was quite disappointed, since there was a rather singularly bourgeois attitude taken in the actor-writer group as to a sound effects man, and I was sloughed off, to my resentment. It was pretty much of a long battle, without anybody's support. And I became pretty disgusted in a little while.

And also I learned more through texts that were suggested. There were no new members' classes at that time. They said they were going to organize them, that the group had been very lax. The group was to be organized and they were going to get down to business and there would be a new members' class and I would be expected to attend. And at the time being they suggested tests, and various individuals were told to help me out, namely, Nina Klowden, who had recruited me, was to go over the Marxist theory and Lenin theory in general with me.

In the reading of these texts I found more things that definitely convinced me this was not a group that had been represented, and it was a little frightening.

MR. TAVENNER. Do you have at this time any of the texts that were given you at that time?

MR. ERWIN. I do, Mr. Tavenner. I have one in particular, which I have no intention of reading this whole book to the committee, but I just—the introduction of the text here that was mainly given me at that time. That is the most important text that was given me at that time.

MR. TAVENNER. What is the title?

MR. ERWIN. The title is "History of the Communist Party of the Soviet Union, Bolsheviks," and it is the short course.

MR. DOYLE. May it appear clearly what time it was that you refer to, when you say "at that time," what year was it?

MR. ERWIN. This was in 1945 or possibly just at the turn of the year.

By this time it might have been at the beginning of 1946.

MR. DOYLE. This was given you by whom?

MR. ERWIN. I bought it, actually, at a party meeting, but I was told that this—

Mr. DOYLE. How much did you pay for it?

Mr. ERWIN. I think I paid about \$3.50 for it. I don't remember precisely, but I was told this was a very important text and I should definitely study this carefully.

Mr. DOYLE. Who is the author of it?

Mr. ERWIN. There isn't a single author. I will read from the title page. The "History of the Communist Party of the Soviet Union, Bolsheviks, Short Course. Edited by a Commission of the Central Committee of the C. P. S. U. (B.)." And "Authorized by Central Committee of the C. P. S. U. (B.). International Publishers, New York." The copyright date is 1939.

Mr. TAVENNER. International Publishers of New York was a Communist press?

Mr. ERWIN. So I understood. I don't know.

Mr. DOYLE. Is that an American copyright?

Mr. ERWIN. I just says "copyright." It says, "Printed in the U. S. A." But the quotation from the introduction, which I think pretty well crystallizes the over-all character of the book, and my reasons for being a little aghast at the thing, describes what this book does for the Communist.

The study of the history of the C. P. S. U. (B.), the history of the struggle of our party against all enemies of Marxism-Leninism, against all enemies of the working people, helps us to master bolshevism and sharpens our political vigilance.

The study of the heroic history of the Bolshevik Party arms us with a knowledge of the laws of social development and of the political struggle, with a knowledge of the motive forces of revolution.

The study of the history of the C. P. S. U. (B.) strengthens our certainty of the ultimate victory of the great cause of the party of Lenin-Stalin, the victory of communism throughout the world.

This book sets forth briefly the history of the Communist Party of the Soviet Union (Bolsheviks).

Mr. DOYLE. How many pages in that book, please?

Mr. ERWIN. I will check it for sure. 365.

Mr. DOYLE. Is it a bound volume?

Mr. ERWIN. Yes; a cloth-bound volume. It is the short course, incidentally.

Mr. TAVENNER. What was the effect of that type of doctrine being sponsored by the Communist Party, when you had such conflicting representations made to you when you joined the party?

Mr. ERWIN. Well, the first, of course, was quite utter confusion, because the people I had known, several of the people whom I now met in the party for some time, and I wondered if they were as confused as I or if they were actually sinister characters, or just exactly what it was. But my main reaction at that time was, "Get out and stay away from them," which I did.

Luckily, coincident with it, my work was keeping me on a night shift, mainly, which prevented my attending meetings, and I had been told and heard the reference made that if you once were connected with the party and got out, that not either side would trust you and your name would be mud in general everywhere. And that it was a very bad move, to get in and get out again.

So I just let it go at that and was told finally, in rather patronizing terms, I was on a leave of absence and at such time as my schedule changed they would expect me back.

Mr. TAVENNER. Under such representations it made it very difficult for a person to make the decision to get out?

Mr. ERWIN. It made it very difficult, yes; very difficult, particularly someone just starting in the business, so to speak.

Mr. TAVENNER. Having gotten into it, did you feel that the fact that you had gotten into it would be used against you in your business, if you tried to get out?

Mr. ERWIN. That was the inference that I drew.

Mr. DOYLE. Where did you draw that inference from?

Mr. ERWIN. Well, from the general statement, for instance, a very definite statement against Mr. Dwight Hauser in meetings after he no longer appeared. This was definitely considered to be a dangerous person and that he was not to be considered as a very trustworthy man in anything after that.

Then in other references to other people whom I didn't even know at the time, who had gotten in and gotten out, that I heard that the consequences were rather dire on this sort of a move. I was not personally threatened, but the inference was quite clear.

Mr. DOYLE. In other words, you are telling me that the inference was that such persons as who had gotten in and then gotten out were more or less blacklisted?

Mr. ERWIN. I would say that that could be the conclusion drawn.

Mr. DOYLE. That is the conclusion you drew?

Mr. ERWIN. Yes; that is the conclusion I came to myself.

Mr. DOYLE. You mean they were blacklisted by the Communist Party, from which they had withdrawn?

Mr. ERWIN. That is right. And subsequently I have heard of a number of cases where they were blacklisted in general by even such tactics as spreading the word around the persons who had gotten out were Communists and they were blacklisted among those that had—

Mr. DOYLE. Let me see if I understand. They were blacklisted by the Communists themselves who set forth propaganda that these people they were blacklisting were Communists?

Mr. ERWIN. They would even go to that extent, I had heard, because I did know that at that time there was some, even some rumblings around the industry that Dwight Hauser was a Communist and that had never been said before he got out of the party.

Mr. DOYLE. That knowledge of blacklisting, naturally, created a fear you might be blacklisted in your endeavor to earn an honest livelihood?

Mr. ERWIN. That is true, Mr. Doyle.

Mr. TAVENNER. After learning of that attitude on the part of the Communist Party toward persons who had left the Communist Party, did you welcome the opportunity to be in a state of leave from the party?

Mr. ERWIN. I welcomed it very heartily, and, in fact, asked I be kept on a night schedule so there would be no excuse for them getting me back.

Mr. DOYLE. You mean you deliberately asked your employer to be kept on a night schedule so you wouldn't be expected to attend the Communist cell meetings?

Mr. ERWIN. I didn't tell my employer my reasons.

Mr. DOYLE. Thank you.



Mr. TAVENNER. How long did you remain on leave from the Communist Party?

Mr. ERWIN. Until the fall of 1947.

Mr. TAVENNER. What occurred at that time?

Mr. ERWIN. At that time, in the late summer of 1947, in a conversation with a close friend, I revealed the fact I had been in the Communist Party and the circumstances of my extended leave of absence, at which time he asked me if I might be interested in giving the information or in aiding the Government in any way with the possible knowledge and information that I had, or would I be willing, even possibly to going back into the Communist Party for this organization, and I said I would.

This man, incidentally, was not an agent of the Government himself. I just understood that he would make some sort of contact and he asked me if I would be willing to do this.

Subsequently, I was contacted by a man from the Government, who then outlined the fact that anything I did was strictly of my own volition, the Government held out no promises of any particular privileges or anything else, and I was perfectly free to refuse to do so and to let it go at that.

I had solicited the contact by the agent myself and—all I am getting at is that they were extremely fair, extremely clear in their representation to me. At that time I said that I certainly understood it, and I considered the Communist Party a definite threat to this country in what little I had learned at that time through texts such as this and other representations in party meetings, and so on, in which the word "revolution" appeared a great deal.

I must say this was pointed out to the cultural group in general and our group in particular, that this did not necessarily mean armed revolt; that this shouldn't be taken that way, but still, nonetheless, the revolution was still uppermost in there, and there were sufficient vagaries there that it frightened me even all the more.

Mr. TAVENNER. As a result of your conference with an agent of the Government, what did you do?

Mr. ERWIN. I reentered the party. By this time my schedule had changed and reentered the party again, contacting Mr. Klowden and reentered the radio branch of the Communist Party.

Mr. TAVENNER. Now, what was your principal purpose in reentering the party?

Mr. ERWIN. Well, of course, my principal purpose was in getting as much information as possible about the radio group. In particular, for the Federal Bureau of Investigation, which is the agency named, and also of doing as much—this was decided in conversations with my contact with the FBI, of getting as much information on the party line, what the cultural group was doing.

Perhaps I should right now state what the purpose, the considered purpose of the cultural group is. It is distinctly different within the party from the rank and file workers' groups, in that we were considered to be the sort of commissioned officers of the group. I suppose that term was never used, certainly, but helping to make policy and to interpret policy. The talent in general, then, would be used for propaganda and agitation at all times, particularly, of course, of revolutionary circumstance.

Mr. DOYLE. Mr. Chairman, counsel, the fact this witness keeps on repeating and emphasizing that the revolution was uppermost, and such language, and he said the word "revolution" appeared a great deal in the text. I think it falls upon me to again call attention to the fact that this is exactly what the United States Congress declared in Public Law 831, which I have read a short portion of 2 or 3 times.

I think it is appropriate for me to just read this one paragraph again. This, you will recall, is a declaration by the United States Congress in Public Law 831, and I read section 2:

As a result of evidence adduced before the various committees of the Senate and House of Representatives, the Congress hereby finds that:

There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a worldwide Communist organization.

That is all of that declaration I will read.

Mr. TAVENNER. I would be very happy for you to explain what you understood about the revolutionary teachings within the party as you observed them.

Mr. ERWIN. Well, I probably had better go into a little bit of my history, of how I came in contact with this information.

Shortly after my reentry into the party under the circumstances outlined, I was assigned to a new members' class, which was by this time well organized. In this class, we were given a solid basis in Marxism. One of the main texts again was the history of the CPSU.

Another was Socialism, What Is in It for You? And that was by A. B. Magil. I also have that pamphlet, if you would like it.

Value, Price, and Profit, an excerpt, naturally, from Marx.

On the Theory of Marxism, with excerpts from Marx, Engels, Lenin, and Stalin.

A brief résumé of the Constitution of the U. S. S. R.

And that was about the sum total of actual text used in this particular new members' class. Those weren't taken in their entirety. These were assignments as much as in any class with a text.

Mr. TAVENNER. According to your time, that was in 1947.

Mr. ERWIN. Yes; that is true, this is 1947. We were then taught a little of the basis of Marx, but there was much more stress, I noticed now, on the revolution itself; again that word appears. And on the methods of studying the works of Stalin and Lenin on revolution. Although there was no indication that anyone was going to start throwing bombs at any time, the emphasis was on a clear dialectical approach to world problems.

Current events were brought in and analyzed from a Marxist viewpoint. And at that time the Berlin crisis was on, the airlift at that time was going on, I believe, and the analysis of problems was made overall at that time from a Marxist viewpoint, and keeping abreast with the current events. And at that time several new members asked the question also of how it so happened if the Communist Party which had been represented to us, the Communist Party of the U. S. A. was not taking its cue from the Moscow, how did it happen that everything Russia did, according to this analysis, was explained away in

one form or another, or everything this country did was deemed pretty much wrong—not everything, but at least most things.

Where there was a definite choice between Russia and the United States, that Russia seemed to come out on top from a dialectic standpoint. This was explained by the so-called fact that any students of Marx, Engels, Lenin, and Stalin, et al., viewing a particular set of contradictions or circumstances would come to the same conclusion. And, in fact, I made a rather unpopular statement at that time in the new members' class, that if that was the case, could Tito be considered a poor student of Marx, Engels, Lenin, Stalin, et al., which he obviously did not, and he didn't seem to be going along with the Cominform at that time. There were certain other contradictions, as I say, with statements like this being rather unpopular and being discouraged.

Mr. DOYLE. Were any of those people that you just named American authors or authorities?

Mr. ERWIN. Oh, yes.

Mr. DOYLE. These 3 or 4 Marx and Lenin—

Mr. ERWIN. I will have to refer to that. I believe A. B. Magil is American, I am quite sure. The others are not. A. B. Magil I believe is an American.

Mr. JACKSON. Do you have any knowledge of any occasion when the Communists, as you knew them during your association with them, departed in any way from the Soviet foreign policy?

Mr. ERWIN. I remember no specific instance.

Mr. JACKSON. In the event of war, do you think that the sympathies of an American Communist would be with this country or the Soviet Union?

Mr. ERWIN. Oh, I believe the hierarchy and the overall policy would definitely be with the Soviets, unless serious change, a complete change, would occur. I am sure the Communist Party line would. As to officials and members and ex-members of the Communist Party, I couldn't venture to say.

Mr. DOYLE. When you say the Communist Party you refer to the Communist Party in the United States?

Mr. ERWIN. I do. By this I do not necessarily mean the rank and file cell level member. I believe the people I came in contact with, there are practically none of those that I think would actually take up arms against the United States, in the event of a war with the Soviet Union. I think a number of them would be abhorrent to any such action.

As to the Communist Party official line, I have little doubt their sympathies would definitely lie.

Mr. DOYLE. In other words, the Communist Party leadership in the United States, allegedly underground, would, in your judgment, follow the interests of Soviet Russia as counterdistinctive to the best interests of the United States.

Mr. ERWIN. I think that is basically actually right, because the Communist Party is only for convenience sake broken down into the Communist Party of various countries, because they say the problems naturally are different in different countries, yes.

But the aim of the Communist Party in general, overall, the basic aim is for world communism, as I quoted from the History of the Communist Party of the Soviet Union.

Mr. DOYLE. And as I quoted from Public Law 831.

Mr. ERWIN. Yes.

Mr. DOYLE. You would agree that declaration by the United States Congress is founded on fact, from your experience?

Mr. ERWIN. It is founded in the literature of the Communist Party, which is tantamount to being founded in fact, I certainly believe.

Mr. TAVENNER. Was this study group which you attended made up solely of members from the radio cell of the Communist Party?

Mr. ERWIN. No, it was not. In fact, I do not believe there was any other member from my particular group at that time. I am not sure there was anyone from any other radio group in this particular group. They were all from cultural, which might mean anything, any particular category of the cultural section.

It was not revealed to me as to who the people were. In fact, by this time, when I got back, only first names were being used. A number of the people I came in contact with I did not even get names of from such contacts as this. The short, ephemeral contacts in study groups.

Mr. TAVENNER. You did not learn the true identification of the persons in this particular study group you attended?

Mr. ERWIN. No. I learned the identity of probably 2 or 3 of them, from just brushes, going to and from the group, and so on, and being with them for a period of 3 or 4 weeks or possibly more; I think it was 6 weeks.

But I have never seen any of them since. At that time any names I did get were turned over to the FBI. Just to outline, incidentally, while I may seem quite vague on certain names and addresses and so forth, with my contact it was decided that the best tactics for me, in order to avoid exposure and also to keep things on the best plane as possible, that I should become as good a Communist as possible. A good Communist doesn't ask anybody, any comrade's name or question it, or remember anything. He doesn't use the telephone unless it is absolutely necessary, and then couches his terms in the vaguest terms as to a social function, or something of that sort.

Anything I was doing that I did learn, I wrote in a report and got rid of it right away, without keeping any list or carbon or anything of that sort for myself. I never saw any of those things again myself.

Mr. TAVENNER. Did you attend meetings, radio group meetings of the Communist Party at the time you were attending the school?

Mr. ERWIN. Yes.

Mr. TAVENNER. How many Communist Party meetings were you required to attend?

Mr. ERWIN. Actually our branch meetings or group meetings of the radio group, as a whole, were generally every other week. A few times, like surrounding the 44th convention of the Communist Party, they were stepped up to a meeting every week. I was also then attending at this time a new members' class.

This was weekly, which meant two meetings a week, some weeks, plus also there was a faction meeting which was then set up of people in radio directly who were on the cell level who were to make an analysis of the overall picture of radio, on a national basis this way, and it was to be carried further into a more microscopic analysis of radio on the local scene directly, this analysis then being used to plan

means of combating antiparty propaganda, tactics, and so forth, and to supplant them with whatever propaganda, agitation, or influence that the party then could exert through its members connected with the industry.

Mr. TAVENNER. This was an analysis made of the radio work for that purpose?

Mr. ERWIN. Yes, that is true.

Mr. TAVENNER. Who composed the group that were assigned the job of making this analysis?

Mr. ERWIN. Nina Klowden was in it, Lynn Whitney.

Mr. TAVENNER. Spell the name, please.

Mr. ERWIN. L-y-n-n Whitney, W-h-i-t-n-e-y. Herman Waldreen, W-a-l-d-r-e-e-n, I believe. He was also known to me later as Herman Waldman, W-a-l-d-m-a-n, and later known as David Wolfe.

Mr. TAVENNER. Spell the Wolfe, please.

Mr. ERWIN. I believe it is W-o-l-f-e.

Mr. TAVENNER. Can you give further identifying information regarding that individual?

Mr. ERWIN. He was a radio actor in the industry. That about sums it up, I believe. That is all I knew that he did. I believe he has been mentioned before this committee before in prior sessions.

There were a couple of other people whom I don't recall now by name. It would be speculation on my part to further try to remember who was directly at these meetings, the fraction for the analysis of radio.

Mr. TAVENNER. Were all of these persons members of the radio unit of the Communist Party of which you were a member?

Mr. ERWIN. Yes; they were.

Mr. TAVENNER. How long did that particular group function in the capacity you have described?

Mr. ERWIN. Well, I imagine it was over a period of 3 or 4 months.

Mr. TAVENNER. During what year?

Mr. ERWIN. This would have been in 1948 by this time.

Mr. TAVENNER. Can you recall any specific matters that came out of the work of that group?

Mr. ERWIN. Well, the matters that came out were, of course, radio, to a microscopic degree. For instance, I have a foundation in electronics and the technical end of radio myself, so I was given one of the early lectures to compose and give for the group, generally analyzing the method of propagation of radio and differentiating the techniques of AM or amplitude modulation and FM or frequency modulation radio which was just at that time when franchises were being granted by the Federal Communications Commission for FM channels in this local area, and it was explained to me that the reason this general discussion of the technical matter was mainly done was so that the members would generally know what the difference was between the two, and there was some talk of possibly the party or a front organization sponsored by the party gaining one of these franchises and operating one of the FM stations. That never happened, I am sure, but there was talk about it. I don't know how far it actually ever got.

Mr. JACKSON. When you reach a good point to break, we will take a short recess.

Mr. TAVENNER. I believe I have just one more question, and then it would be a good time for a break.

You state that it was discussed within the party the advantage that would be gained from obtaining a license in the name of a front organization for a radio station?

Mr. ERWIN. Yes.

Mr. TAVENNER. Will you describe a little more clearly, please, what was the purpose that the Communist Party desired to accomplish by having a radio station?

Mr. ERWIN. Well, I believe the purpose, of course, is quite self-evident. It is the purpose of the Communist Party in anything it does, in that it would be to propagandize and agitate, to spread as much confusion as possible. It is a basic Marxist theory, incidentally, of confusing issues—not a Marxist theory. I shouldn't say—a Leninist tactic of using the process of causing as much qualitative agitation and disturbance, in other words, pointing up a contradiction or conflict to its highest peak in order to cause a qualitative change. That is a rather rough quote, but do I make myself clear?

Mr. JACKSON. In other words, planned confusion?

Mr. ERWIN. That's right, to cause sufficient confusion to force qualitative change. This is a revolutionary tactic. For instance, by possibly a labor disturbance, which at its outset is a matter of a certain amount of disagreement between labor and management, the desirable tactic there is to cause this minor conflict to be drawn to its highest degree so that the maximum advantage can be gained to place the management in the position of being the ogre, if possible, and labor in the position of being the downtrodden, in order to cause, by enough of the circumstances, to have labor in general revolt.

Mr. JACKSON. Isn't it also a part of Communist technique to carry confusion and obstruction into the courtrooms of the nations and into the hearing rooms?

Mr. ERWIN. Yes, very definitely. In fact, I observed exactly that tactic yesterday, and I have observed it in all operations where I believe the Communist Party had close contact of causing the maximum confusion.

Mr. DOYLE. You said you observed it yesterday. Where did you observe it yesterday?

Mr. ERWIN. I was sitting over behind Mr. Tavenner.

Mr. DOYLE. In this hearing room where you now are?

Mr. ERWIN. Yes, sir.

Mr. JACKSON. If you were in the hearing room, you observed planned confusion.

Mr. ERWIN. Yes, sir.

Mr. TAVENNER. This is a convenient place.

Mr. JACKSON. The committee will take a break until 11:15.

(Whereupon, at 11:05 a. m., a recess was taken until 11:20 a. m.)

Mr. JACKSON. The committee will be in order.

Mr. TAVENNER. Mr. Erwin, you were telling the committee of the results of the analyses made by the committee that you described as a committee set up for the purpose of analyzing what was being done in the country in radio.

Mr. ERWIN. Yes, sir.

Mr. TAVENNER. Now, what other results arose from that analysis?

Mr. ERWIN. Well, to answer your question in part, at any rate, I can't say that the results were actually achieved.

This is another matter which touches basically on procedure within the Communist Party. We were assigned as a fraction to make an analysis, period. We were not to draw any further conclusions other than those that were drawn right at that time as an analysis, and then present those to the section which, heaven knows where they went from there, and to eventually be returned to us with instructions for further action, or possibly never to be returned to us or to be turned over to another group for further analysis and study.

So all I can say is what these various analyses were rather than any results that arose from them.

Mr. TAVENNER. All right.

Mr. ERWIN. For instance, just to bring out points that were touched on, one of the points that the Communists definitely decried was the tendency that was just then beginning of commercial messages, commonly called commercials, being given by stars. Up until this time of around 1948, generally the commercials were given by announcers as a separate part of a radio show, the commercial message was, and the show was distinct from it, and then this incorporation of commercials by stars was considered to be a very, very bad step from the Communist standpoint, in that it did two things.

For one thing, it spread the commercial message over a broader space, which of course, the more they could keep down any commercials the better they liked it.

Secondarily, it amounted, in effect, to a star's endorsement of the system under which the country operated from the analysis made. In that they reasoned thusly: A star commands a great deal of public attention and respect; otherwise, he would not be a star. So that any endorsement made by a star would command a great deal of public attention and sway considerable opinion.

Mr. TAVENNER. Then, if I understand you correctly, it was advocated that a star should not engage in any way in connection with the commercial announcement of the program, because to do so meant that that star was advocating the capitalist system of government; is that correct?

Mr. ERWIN. In effect, that was the analysis made. There was a further analysis then made of soap opera, which is even a little more obscure, in which the analysis there was that soap opera per se, No. 1, was escapist material; No. 2, that the underlying propaganda line of the capitalist system contained in the soap opera was furthering the system of double standard in the United States, that is, that woman had her distinct and particular place and man had his distinct and particular place and never the twain shall meet.

Further analysis—or did you want to question me further on that? That may be rather vague.

Mr. TAVENNER. Well, it is a little vague to me, but the purpose, as I understand, is that the Communist Party was endeavoring by that analysis to promote its own plan of things?

Mr. ERWIN. Very definitely, the plan being, of course, to break down the double standard; in appearance, that is, to break down the double standard. The main thing was to make women as effective revolutionary factors or workers as man, actually, to break down in every way the double standard between men and women. That is not necessarily in many cases and in many instances an undesirable aim. I am

pointing it out mainly as a Communist tactic in itself, the reasons behind their desiring to break down the double standard.

The further analysis that went in, just broadly, of radio generally was that it was filled then, in the main, other than soap opera itself, with escapist material such as the mystery show, the innocuous dramatic and quiz shows and so on, which in effect lulled the people to sleep and padded up their ears with enough escapist cotton to keep them from hearing any of the real issues ripe in the world at the time, and this was then conveniently served up with a broad sauce of capitalist propaganda and commercial messages.

MR. TAVENNER. Can you at this time give us any further results of the work of that committee?

MR. ERWIN. Well, there were a couple of other things. For instance, just specific instances that came up: For instance, at that time—I have forgotten now who made the criticism, whether it was some member of the Government or some independent investigating group or whatever—there was talk of a so-called The Theater Guild On the Air—

MR. TAVENNER. What was the name of it?

MR. ERWIN. The Theater Guild On the Air, a New York show, sponsored by the United States Steel Corp.

The Communists were quite delighted with some investigating group that came up with a rather sensational news story about the fact that there was evidence or indication that this was a Red show.

Well, this is just the type of thing that Communists would very much like to see happen, confusion of a company of the stature of the United States Steel Corp. being tied in in any way with the Communist Party would add beautifully to the confusion, and investigations of any group of this sort, that is that are given a broad and vague terminology as possibly Red or Red-infiltrated which can tie large American industries and so on with Communist fronts serves to heighten the confusion.

MR. TAVENNER. How long did that group function?

MR. ERWIN. I would say, and it is only a broad guess, about 4 months.

MR. TAVENNER. During this period of time was there any required reading for the Communist Party members?

MR. ERWIN. Well, I don't know, but not in reference to radio particularly, not with this fraction. Of course, you were required to read—for instance, you were required to read "PW"—you were all but commanded to read the People's World—which is a San Francisco publication.

You were also admonished definitely to read at least a number of copies of Masses and Mainstream. That is a New Century monthly publication—also published by New Century, or printed by New Century, I should say. I believe it is published by Masses and Mainstream itself.

Political Affairs was another monthly magazine that was required reading, and certain articles were pointed out of special interest and of special importance to the cultural section and to the radio branch also.

Then Science and Society was another. That is a quarterly, which was another magazine.

These are general and running publications that were at least in part required reading.



Then there were books, one that was quite popular at that time, Ten Classics of Marxism, of which I have a copy here in my briefcase, if you would like to see it, which had a number of Marxist classics.

Mr. TAVENNER. I would like for you to put all of that Communist Party material on the table in front of you so that the committee members may see it and examine it if they like.

Mr. ERWIN. Very well.

Mr. TAVENNER. Will you read into the record the title of the material you present?

Mr. ERWIN. Yes. Possibly I better read them from these documents. A couple of these were particularly for the cultural section, three of these here in particular.

This one, Studies in a Dying Culture, by Christopher Caudwell, was printed in London by John Layne, The Bodley Head Literature. This is the second publication, Literature of the Graveyard, which was written by Roger Garaudy, and he is a member, or was at that time a member of the French National Assembly, and in this particular work is an analysis and criticism, and in fact, condemnation of the works of Jean Paul Sartre, François Mauriac, André Malraux, and Arthur Koestler.

Another publication that was considered very valuable at that time was Culture in a Changing World; a Marxist Approach, by V. J. Jerome. That is published by New Century.

I just previously mentioned Socialism; What's In It For You? by A. B. Magil, also published by New Century; On Soviet Music, which I should like to touch on a little later, that was published in the interest of public information, by American-Russian Institute.

Mr. TAVENNER. Well, now, is that the publication that was referred to by the witness Mrs. Sylvia Richards?

Mr. ERWIN. I believe it was. I believe it is.

Mr. TAVENNER. Is that what she said was particularly responsible for her leaving the Communist Party?

Mr. ERWIN. Yes; I believe this is the publication. If it is not, it was one that is very similar. There have been others of the same type.

This is another one previously mentioned, From the Little Lenin Library, volume XXXI. On the Theory of Marxism, by Karl Marx, Frederick Engels, V. I. Lenin, and Joseph Stalin. I shouldn't say it is by them. There are excerpts of their works in this particular volume.

Then again, previously mentioned, an excerpt really from Das Kapital, and Value, Price and Profit, by Karl Marx. This was required reading, definitely.

Another generally popular work at that time—I don't remember its being required reading, but there was much discussion about it—is a pamphlet entitled, "The New York Herald Tribune's Twenty-Three Questions About the Communist Party Answered by William Z. Foster."

Another pamphlet by Maurice Thorez, What Next In France. It is a New Century pamphlet, too. Twenty-Three Questions is also a New Century.

I believe this actually was required reading at the time: What's Behind The Berlin Crisis, by Joseph Clark, published again by New Century.

Then the other two that I had, which were some of my material from 1945, at the time that I was recruited, *A Talk About the Communist Party*, by Earl Browder. This is dated 1943. The pamphlet actually is published by Workers' Library Publishers, New York.

Another pamphlet, *The Communist Party of the USA, Its History, Role and Organization*, by Earl Browder, published again by the Workers' Library Publishers, Inc., New York.

This last volume, of which various articles were required reading of at different times, I just recently referred to it, 10 classes of Marxism, the quoted authors are Karl Marx, Friedrich Engels, V. I. Lenin, and Josef Stalin. And there proceeds a number of Marxist classics, the 10 Marxist classics, and among them the Communist Manifesto, and Value, Price, and Profit previously named, et cetera.

MR. TAVENNER. Now, you have testified about the two periods when you were a member of the Communist Party.

MR. ERWIN. Yes, sir.

MR. TAVENNER. In 1945, when you were a member for about 3 or 3½ months, and then the period of 1947 and 1948.

MR. ERWIN. Yes.

MR. TAVENNER. When you were a member, you have also testified about the Communist Party instruction group, which was a different group from the radio group of the Communist Party of which you were a member.

MR. ERWIN. Yes.

MR. TAVENNER. Now, will you tell us, tell the committee, as well as you can, who were the members of these various groups? Give us the names of the persons you know of, of your own knowledge, who were members of the Communist Party and endeavor to fix them with one or another of the three groups that I have mentioned.

MR. ERWIN. I shall. This first group is the group of the 1945 period.

MR. TAVENNER. May I interrupt you there a moment?

MR. ERWIN. Certainly.

MR. TAVENNER. If you have in mind the name of a person, who was known by you to have left the Communist Party, I would like you to state that.

MR. ERWIN. I certainly shall. This is the 1945 period of which I speak first. The person who recruited me and who was a member of that group, Nina Klowden, and Georgia Backus, I am not sure of the spelling; B-a-e-k-u-s, I believe. Her husband I knew as Hy Alexander. It is H-y, I suppose, and the common spelling for Alexander.

Sam Moore, who was a writer. Dwight Hauser, who was mentioned yesterday. And, as I say, I passed him going out the door, so my mutual party relationship with Dwight was very short.

Lynn Whitney, previously spelled. Paul McVey, M-e-V-e-y, and his wife, whose name I do not know.

Bert, B-e-r-t, Cooper, C-o-o-p-e-r.

Pauline Hopkins and Owen Vinson.

Now, there were others, definitely, but I at that time was working in a network, so there were some people who were there whom I did not know by name and never actually found out.

There were several other people at these early meetings whose names I never did know actually, never actually came in contact with them again.

Mr. TAVENNER. I would like to interrupt you a moment at that point.

Mr. ERWIN. Yes, sir.

Mr. TAVENNER. Earlier this morning a message was received from a person by the name of Pauline E. Hopkins of 1956½ Echo Park Avenue. The name of Pauline Hopkins has been mentioned several times during the course of the testimony during the past week.

She has stated to the committee that she was not the person mentioned in that testimony, and as you have just mentioned the name of Pauline Hopkins I thought I should make that known.

Mr. ERWIN. Yes. This Pauline Hopkins, too, was the wife of Owen Vinson at that time. Now, to go to the 1947 period, again Nina Klowden, Sam Moore, who was not in my group, but appeared before my group, the radio group, for some discussions.

Mr. TAVENNER. Can you explain that a little more fully?

Mr. ERWIN. Well, for instance, on writers' problems, something of the sort, and where the writers' group—some other group that was not divulged of what it was, and I assumed it to be a writers' group—had come to some broad conclusion possibly touching on the whole radio industry, or wanted our group to analyze, say, from the actor's standpoint, some particular problem that had come up.

So he a couple of times addressed our group about particular problems or information. Again Lynn Whitney. Again Paul McVey and his wife, and Waldreen, Herman Waldman, and David Wolfe, the same name, and Ben Pollin.

Mr. TAVENNER. Will you spell it, please?

Mr. ERWIN. B-e-n; I imagine standing for Benjamin. P-o-l-l-i-n.

A Jack Robinson. And I would like to interject, if I may, a very clear differentiation between two Jack Robinsons, since this Jack Robinson whom I speak was at that time a writer. I don't know where he is now. He is a distinctly different person than one at the time known as Jack Robinson, who worked in the National Broadcasting Company sound effects department and has since become a writer-director in radio and is entirely a different person, now known as John Robinson, and currently working in the industry.

People have associated myself and this John Robinson together. Also, he definitely has never had anything to do with the Communist Party, I am quite sure.

To go on, Mary Robinson, who was this previously mentioned John Robinson's wife.

Then we were addressed by—both in the group and in new members' class and Marxist study groups conducted at other times and other places, and I saw these three I am about to mention at all of these places at one time or another, and understood them to be dignitaries of some sort, or at least on a higher echelon than our branch group; John Rapf, Harry Carlyle; I have it C-a-r-l-y-l-e. I am not at all positive of that spelling, because I never saw the name actually in print. It is only phonetically that I spell it.

Mr. JACKSON. What was his occupation, if you know?

Mr. ERWIN. I do not know what his occupation was. He lectured us on secondary class in Marxism. I do not know what he did. I understood he came originally from Australia. That is about the only other identifying—

Mr. JACKSON. How old a man would he have been at that time?

Mr. ERWIN. I would say he was in his fifties; very articulate, very well-founded Marxist, and seemed to have an excellent background in Marxism, and also a decent academic background of some sort.

Mr. TAVENNER. The point is you are not certain of the spelling of his last name?

Mr. ERWIN. No, I am not. As I say, I never actually saw it written. It might have been l-y-s-l-e, as an alternate spelling.

Karen Morley, M-o-r-l-e-y. I understood she was a functionary of some sort with the cultural section on the higher echelon, as was Harry Carlyle, and I understood that John Rapf was from the section or the county.

Those are about all the names I can be dead certain of, which is naturally the only way I would want to give any names.

As I say, there were a number of others, and I have given names in previous reports, which I have subsequently forgotten for the reasons outlined.

Mr. TAVENNER. Can you recall the names of any higher functionaries of the Communist Party who addressed your meetings, other than those you have already told us about?

Mr. ERWIN. These are the only three, I believe, who ever did address us; at least, that were revealed as functionaries of the party.

Mr. TAVENNER. You indicated in the earlier part of your testimony that you were elected to fill a vacancy on the board of AFRA.

Mr. ERWIN. Yes, sir.

Mr. TAVENNER. I ascertained from you another member of your group was also a member of the board, and that person was named Georgia Backus.

Mr. ERWIN. Yes.

Mr. TAVENNER. Will you state whether or not the Communist Party, through the members of that board, that is, through Georgia Backus and yourself, were influencing the conduct of the affairs of AFRA, as members of the Communist Party?

Mr. ERWIN. I have little doubt that they had some influence. At that time, as far as that goes, at any time the actual conduct of AFRA, I don't believe there were any issues that could be stated to be distinctly Communist, which were promoted by any Communist members of the board of AFRA. So it would be difficult to say just how extensive the influence was.

I do say this, in general, about any active Communist, that if he is in any group or governing body of any sort, he will exercise influence of an extensive nature, because I don't believe that there is anyone so active as an active Communist.

As to my own appointment to the board—and this is necessarily prefaced with a statement that it is pure conjecture on my part—I doubt I would have been elected to the board of AFRA or appointed as originally started and subsequently elected at a later date, had I not been a member of the Communist Party. I doubt my name would have come before the board. I had only been a sound man for some 2 years and there were a lot of men with much more experience in the various other networks and other sound departments, who from sheer observation would probably have been far better suited than myself.

Also, I was rather young at the time, too.

Mr. TAVENNER. Was there any instance, to your knowledge, where your Communist Party group was able to have the board of AFRA adopt any particular Communist Party program?

Mr. ERWIN. Only one that I remember specifically, and I don't know if the actual resolution would ever have come before AFRA without the intervention of the Communist members of the board.

But I am sure had it come before it, this particular measure would have passed, anyway, regardless of the Communist group in which AFRA made, roughly, a statement to the effect that it didn't approve of broad racial characters of people, that is, where a particular race or group of people was held up to a comic characterization to the extent of ridicule.

Mr. TAVENNER. What I am trying to ascertain is whether or not in your judgment there were other Communist Party influences within that group, other than the two you have mentioned.

Mr. ERWIN. You mean myself and Georgia Backus?

Mr. TAVENNER. Yes.

Mr. ERWIN. Oh, yes; there was one other Communist on the board at a later date. I am not sure he was in at this first date mentioned, or not. I believe he was, but I am not positive.

Paul McVey was also on the board during this 1947 period.

I would like to say, certainly, for the record that I am sure that AFRA could stand any scrutiny whatsoever on their policies on broad issues, as certainly not being broadly influenced by the Communists at any time, as being ever considered as really substantially infiltrated by the Communist membership because there was at the same time a definite balancing body on the board, which was quite vocally anti-Communist.

Mr. TAVENNER. So there is no justification for the feeling that this particular board was under any special influence or domination or control of the Communist Party?

Mr. ERWIN. No, I cannot at all say that it was ever controlled by the Communist Party. That was the desire very definitely, and the attempt was definitely made. But as to its actual effectiveness, I am sure it was nullified.

Mr. TAVENNER. How many members constituted the board?

Mr. ERWIN. Oh, that is a good question. I will have to remember. On the local board was—I am not positive, but I believe there are about 15. I am not sure, but there were approximately—in no board meeting would you ever see the entire membership of the board at one time.

Mr. TAVENNER. When did you cease your activities within the Communist Party at the instance of the Federal Bureau of Investigation?

Mr. ERWIN. Effectively it ceased at the end of 1948 or early in 1949 due to exigencies of my own work, which were becoming too great for me to attend Communist meetings. Again the same thing, but I was working also on the outside on some other things.

On discussion with my contact, he decided that certainly I was to be given the opportunity to pursue my work by this time.

Mr. TAVENNER. Then when your arrangement with the Federal Bureau of Investigation terminated you also terminated your connection with the Communist Party?

Mr. ERWIN. Yes. I never returned after that time to any meetings, after the end of 1948 or the beginning of 1949. I kept in contact with

the Federal Bureau of Investigation through my previous contact, that is, as to answering questions. I didn't file photographs, et cetera, but I never actually contacted the Communist Party on a cell level, or any other level again after that period. I was unable to, in fact.

Mr. JACKSON. Has your association with the party been exposed in public testimony or in court testimony?

Mr. ERWIN. It has not.

Mr. JACKSON. This is your first appearance since your break?

Mr. ERWIN. Yes.

Mr. TAVENNER. Mr. Erwin, I neglected to ask you how many composed, how many persons composed the Communist Party cell within radio at any one time.

Mr. ERWIN. Well, my original group in 1945 was of a number somewhere in the neighborhood of 18 or 20. This group then, I learned on my return in 1947, had grown even larger and had split into three groups, all of them actually comprising the radio branch. But they were separate and, for the purpose of security, were not identified to each other, except by code name, and the members of one group were not necessarily known to the members of the other group.

No discussion of the names was ever taken. This was a security measure and to cut down the size of the group.

Mr. TAVENNER. Can you advise us of the code name of any of the groups?

Mr. ERWIN. I only remember one of the code names, which was a group other than my own. It was called Aragon.

Mr. TAVENNER. Do you know what the code name of your own group was?

Mr. ERWIN. I do not know. It was never referred to. I believe it was only used actually by the section in identifying from which group a particular communication or dues, or what have you, came.

Mr. TAVENNER. What was the total number of Communist Party members in the three groups?

Mr. ERWIN. I do not know as to the other groups. My own group was composed of about 15 members, I think, maximum, with full attendance, which, of course, was not, in fact, practically never was there a real full attendance. This did not necessarily indicate laxness, but due to the extreme variation in scheduling in the radio industry if a particular person were working a show on the night of a meeting, it was considered as an acceptable excuse for not appearing at a meeting, naturally.

So that is why I say the attendance wasn't 100 percent.

Mr. TAVENNER. Did you acquire knowledge of how the funds, that is, the dues and assessments of the Communist Party members were handled?

Mr. ERWIN. I did not. I had no contact with the treasury operation beyond just the paying of my own dues. I had no knowledge of the way the disposition of those moneys were after they passed from the hands of the branch.

Mr. TAVENNER. I believe that is all I desire to ask.

Mr. JACKSON. Mr. Doyle, do you have something?

Mr. DOYLE. I just have one question, Mr. Chairman, in addition to a few other items. However, I wish to ask this witness this:

You kept on mentioning, as I called to your attention before, the fact that the Communist books, text, and in the meetings the subject of revolution was mentioned. I think once, at least, in your very valuable testimony, for which I wish to compliment you, you mentioned, I think, in substance, that there was no talk about the members of the cell or Communist Party using arms and ammunition.

Who was, if anyone, or who will use arms and ammunition, or is that involved in the revolution that may come or that they advocate must come—I will put it that way—in their literature?

Mr. ERWIN. Yes; it is stated that it must come. The teaching that we were given in the new members class and at any other time that the subject came up directly, the party answer to accusations about the advocating of the overthrow of this Government by force and violence, their answer to this charge was, "If anyone bears arms, it will be the opposition, that is, the counter revolution who attack us first, so never consider or never give weight to a statement that a Communist is advocating the overthrow of the Government by force and violence or bearing arms against others voluntarily; if the Communists pick up arms, it is to defend themselves."

Mr. JACKSON. Would the gentleman yield for an observation at this point. I think this might be a good time to read into the record the finding of Chief Justice Vinson in affirming of the lower court's decision in the conviction of the defendants under the Smith Act. This is excerpt from the Chief Justice's opinion:

The court of appeals held that the record supports the following broad conclusions: By virtue of their controls, that is, over the Communist Party, petitioners caused it to resume a policy which worked for the overthrow of the Government by force and violence; that the Communist Party is a highly disciplined organization, adept at infiltration into strategic positions, at the use of aliases and double meaning language; that the party is rigidly controlled; that Communists unlike other political parties tolerate no dissention from the policy laid down by the guiding forces, but that the approved propaganda is slavishly followed by the members of the party; that the literature of the party and the statements and activities of these petitioners here advocate and the general role of the party was during the period in question to achieve the successful overthrow of the existing order by force and violence.

I think it is desirable to have that in the record at this time.

Mr. DOYLE. In other words, as I understand your interpretation of these pamphlets and books, it is that when the revolution comes—and they say it must come—then the only way that that revolution can be resisted will be by force of arms.

Mr. ERWIN. That was definitely the inference. Well, yes, they said actually that the workers will have to defend themselves, which implies, naturally, the use of counter arms.

Mr. DOYLE. Now, the words that the Communist revolution will get to the point someday where the revolution will be successful, unless it is resisted by the force of arms, and that will force the Communists to use arms themselves in the Communist revolution; is that correct?

Mr. ERWIN. Very definitely.

Mr. DOYLE. Now, Mr. Chairman, referring to this book, History of the Communist Movement of the Soviet Union, which is called the short course on the flyleaf, and consists, nevertheless, of 356 pages,

I notice on page 353 two very brief paragraphs which I think it pertinent to be read. I quote under "Conclusions."

The history of the party—

referring to the Communist Party—

teaches us, first of all, that the victory of the proletarian revolution, the victory of the dictatorship, of the proletariat, is impossible without a revolutionary party of the proletariat, a party free from opportunism, irreconcilable toward compromisers and capitulators, and revolutionary in its attitude toward the bourgeoisie and its state power.

The history of the party teaches us that to leave the proletariat without such a party means to leave it without revolutionary leadership, and to leave it without revolutionary leadership means to ruin the cause of the proletarian revolution.

I received, Mr. Chairman, I think, a very significant telegram from a group of citizens in my own congressional district in this county. It is short and it is addressed to me and therefore I am reading it.

Relay to your committee we are unable to find logical reason for innocent people to refuse testimony. Yours is a complex job to do. Some will criticize because they do not understand but is it fair to criticize merely because one misunderstands purpose? Signed Southeast Barbers Association, Southeast Los Angeles.

I wish to compliment that group.

MR. JACKSON. Anything further, Mr. Doyle?

MR. DOYLE. One thing further. In connection with that, Mr. Chairman, I wish to again emphasize, without reading, the fact that this committee has been here under the express authority and direction of Public Law 601 which assigns to us this sort of work, and that this committee is a bipartisan committee, by the way, consisting only of 9 members. Now, in last night's paper or this morning's paper, in view of the fact that we have had some men before us yesterday and today or yesterday and the day before who apparently are earning their livelihood in the field of teaching, I wish to read, I think, a very pertinent news release from the influential Association of American Universities, consisting of 37 leading American and Canadian universities, which report from this group said:

Appointment to a university position and retention after appointment require not only professional competency but involve the affirmative obligation of being diligent and loyal in citizenship. Above all, a scholar must have integrity and independence. This renders impossible adherence to such a regime as that of Russia and its satellites. No person who accepts or advocates such principles and methods has any place in a university. Since present membership in the Communist Party requires acceptance of these principles and these methods, such membership extinguishes the right to university position.

Thank you very much.

MR. JACKSON. Thank you, Mr. Doyle.

At this time, and as we draw near the adjournment of these hearings for the time being—first of all, is there any reason why the witness should not be excused?

MR. TAVENNER. Mr. Chairman, I believe there is one other question that I should ask.

MR. DOYLE. Mr. Chairman, let's not lose the benefit of accepting the gentleman's offer, I thought he said, to present us with these pamphlets. Is that correct?

MR. ERWIN. Certainly.

MR. DOYLE. Let's accept them, Mr. Chairman. I move we do so.



Mr. JACKSON. Accepted, with thanks. Go ahead, Mr. Tavenner.

Mr. TAVENNER. Mr. Erwin, due to the study that you made of the Communist Party tactics and during the period of time that you were in the party in behalf of the Federal Bureau of Investigation, I think I should ask you a general question. Is there anything else about your experience in the Communist Party which would be of value to this committee and which you could tell us?

Mr. ERWIN. Well, I believe there is, and I will try to be as brief as possible in saying this, that I feel, number one, that we must look very carefully at our adversary in combating communism. One of the main points that was brought home during this latter period of my studies in revolutionary tactics, practically a direct quote is that the consideration by a comrade of bourgeois ethics and morals, meaning our overall concept of right and wrong, is meaningless to the revolutionary workers, to the Communist; that is, that if it is necessary to lie, to cheat, use any nefarious tactics whatsoever, it is perfectly justifiable and a comrade need to feel no qualms in doing so if he is supporting the revolution in doing that, which is a basic concept again.

Now, in view of these facts, there are just a couple of points that I would like to say on a general basis which I think that the committee might find of some value. Number one is that all men in the public service and in the public eye, so far as that is concerned, including myself, should be extremely careful about any statement made that will further confusion to people in general, because they definitely give aid and comfort to the Communists.

For instance, I heard a quote, I believe of someone in the Congress from Washington last week.

I just heard it on the air and did not get the gentleman's name, but it was made in reference to some of the statements made by Louis Budenz in which the man said, in effect, "I am sick and tired of having these ex-Communists lecture us who had enough sense to stay out of the Communist Party in the first place."

This sort of attitude definitely gives aid and comfort to the Communist Party now because we who have been members of the Communist Party are the ones, I believe, who really know the adversary thoroughly, and I believe we who have come forward and stated these plainly and to the best of our knowledge are giving invaluable service to the country and to the people in general.

Mr. JACKSON. I would say, sir, that the sum total of the knowledge possessed by the American people and by this committee and of the Congress of the operations and activities of the Communist Party has not come from hostile witnesses who heap abuse upon the committee, but from those former Communists who have come forward to cooperate with this committee and with their Government.

Mr. ERWIN. Very definitely. This was made directly in reference to Louis Budenz.

Mr. JACKSON. I want to say that if we had to depend upon some of the witnesses we have had here, we wouldn't have any information on the Communist Party.

Mr. ERWIN. As I say, all I wanted to do was to call for the opportunity to express my own feelings that every member of every committee or group in making any public statement that comes before the people, that they consider very carefully what the long-range statements or

results of statements may be in reference to this particular problem, because it can create confusion, and that is the basic tactic of Communists is to create as much confusion as possible.

Mr. JACKSON. Anything further?

Mr. TAVENNER. That is all.

Mr. JACKSON. We are very appreciative of your cooperation before the committee this morning. You are excused.

(Whereupon the witness was excused.)

Mr. JACKSON. Do you have something further, Mr. Counsel?

Mr. TAVENNER. I have a message here from Mrs. Hugh Butler, in Washington, who has been a resident of Washington for 2 years, and wishes it announced over the air that her husband, Hugh Butler, of Pomona, just returned from 30 years of Federal service, is not the Hugh Butler mentioned by David Lang in his testimony. I think the Butler mentioned by the witness in the course of the testimony was Hugo Butler. The individual referred to here is Hugh Butler.

Then I have another message from Mrs. Lillian S. Baron, 1622 South Mansfield, stating that her name is identical with the person whose name has been mentioned in the course of the hearings, and she is not the same individual that has been mentioned here.

That is all.

Mr. JACKSON. At this time, on behalf of the committee and all of the members, even though Mr. Doyle and I are the only two remaining, I should like to extend our very sincere thanks to those who have participated in any way in making this hearing one of the most successful, I believe, we have had in recent years.

Our special thanks are due to United States Marshal James J. Boyle for his cooperation, and also to his deputies, to Mr. E. F. Stilwell, the superintendent of the Federal Building, and to all of the employees here in the Federal Building, to the Signal Corps of the United States Army for the public-address system, to Sheriff Eugene Biscailuz of Los Angeles County, and to Chief of Police Parker, of Los Angeles Police Department, and the members of their respective agencies.

Our thanks, too, to the working press for the splendid coverage that we have had in the press and the local periodicals, a coverage which I don't think has been exceeded in any hearing which we have conducted.

Our thanks to radio and to television commentators, announcers, and crew members who have done such a tremendous job in bringing this hearing to the people of southern California.

Last, but by no means least, of course, the committee extends its very deep thanks to the uncounted number of people who have wired in or have written in their commendation of the committee and their expressed approval of the hearings. We all appreciate it very very much and it makes the job, which is sometimes a little hectic and difficult, a little bit easier.

I think the committee would want to thank our counsel, Mr. Tavenner, for his unfailing patience in meeting some of the problems he is called upon to meet, and also our investigator here in Los Angeles, Mr. William Wheeler.

We had another rather unusual greeting this morning in the form of a very large and very beautiful cake. The inscription on the cake read: "To the House Committee on Un-American Activities, con-

gratulations and best wishes from someone very happy to have become a naturalized citizen." The maker of the cake, Mr. Anton B. Voss, is due the thanks of the committee, and they are hereby transmitted to him. Inasmuch as Mr. Doyle and I are the only two that remain behind and can't possibly eat the cake, it has been sent to the Children's Hospital with the best regards of the committee members, and we hope the youngsters enjoy it.

Is there anything else, Mr. Counsel?

Mr. TAVENNER. No; I have nothing else at this time, except, Mr. Chairman, as to whether or not we meet on Tuesday of next week.

Mr. JACKSON. We will have to decide that later. The hearings next week, with the exception of several witnesses which the committee desires to hear in executive session at this stage of their testimony, will be open to the public, and of course to the working press and press photographers. There will not be television or radio coverage of those hearings which will commence on either April the 6th or on April the 7th, the date not having been definitely decided at this time.

I think there is a parting note which sums up the feeling of the committee as far as this work is concerned. I would like to read a very brief statement by a young Czech who escaped from Czechoslovakia and became again a freeman. I think his words are apropos to our situation here today in the United States.

He said:

The same conditions exist in America today that preceded the downfall of my country. Everybody took it for granted that because we were a freedom-loving people, we could never lose our freedom. We paid no attention to repeated warnings that the Communists were infiltrating into the heart of everything that affected our destiny. The majority of us went on living in our smug little worlds, too busy with business, parties, ski trips and the rest to realize the frightful penalty we were soon to pay for our neglect. One morning our bitter fate came upon us like a shot out of hell. Machine guns lined the streets. The Government, the army, the schools, communications, everything had been taken over by the Communists overnight. Our money isn't worth 2 cents on the dollar now. Will we ever get a second chance? Only a few like myself escaped and our one ambition is to warn you Americans not to make the same mistake.

The session is adjourned.

(Whereupon, at 12:25 p. m., the hearing was adjourned sine die.)



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